

CITY OF SOUTH PASADENA

OFFICE OF THE CHIEF OF POLICE
1414 MISSION STREET, SOUTH PASADENA, CA 91030
TEL: 626.403.7272 * FAX: 626.403.7271
WWW.SPPD.ORG

MEMORANDUM

TO:

Craig Cooper

FROM:

Arthur Miller, Chief of Police

DATE:

December 10, 2013

RE:

NOTICE OF INTENT TO TERMINATE EMPLOYMENT

Pursuant to Rule 11.6 of the City of South Pasadena's ("City") Personnel Rules and Regulations and *Skelly v. State Personnel Board* (1975) 15 Cal. 3d 194, I am now providing you with a Notice of Intent to Terminate Employment which sets forth my preliminary determination that you be terminated from your employment as a Police Officer with the City.

I. RULES AND REGULATIONS VIOLATED

This Notice of Intent to Terminate is based upon my preliminary determination that you have committed the following violations of the Law Enforcement Code of Ethics and the City of South Pasadena's Police Department Duty Manual, the City's Personnel Rules and Regulations and the California Penal Code. Please note that your commission of any one of the following violations, standing alone, would support a decision to terminate your employment. A decision to terminate your employment need not be based upon a finding or conclusion that you committed multiple rule violations and/or that you violated all of the rules set forth below.

LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression and intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn and ridicule; develop self restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in official capacity will be kept ever secret unless a revelation is necessary in the performance of my duty.

I will never act officiously or permit my personal feeling, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God and my chosen profession...

CITY OF SOUTH PASADENA PERSONNEL RULES AND REGULATIONS

11.3(0) Any willful act of conduct, undertaken in bad faith, either during hours outside of duty hours of such a nature that it causes discredit to the City, the employee's department or division.

SOUTH PASADENA POLICE DEPARTMENT DUTY MANUAL, VOLUME 4, Chapter 7.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

705.02 (e) They with intent to deceive or misrepresent, omit relevant facts or otherwise falsify information, testimony, or evidence which they provide in their official capacity.

705.04 Canon Four: Peace officers will so conduct their public and private life that they exemplify the high standards of integrity, trust and morality demanded of a member of the peace officer profession.

705.04 (e) They engage in conduct in their personal or business affairs which adversely affects their performance, or brings discredit to the peace officer profession or the South Pasadena Police Department.

705.04(j) They engage in any activity which constitutes a conflict of interest or is a violation of any law.

705.04(k) They conduct themselves, either on or off duty, in such a manner as to adversely reflect on the profession or the South Pasadena Police Department. Prohibited conduct shall include that which brings discredit upon the profession or the South Pasadena Police Department or that which tends to impair their efficiency or the operation and/or efficiency of the South Pasadena Police Department.

<u>SOUTH PASADENA POLICE OFFICERS ASSOCIATION BYLAWS, ARTICLE IV, SECTION 4</u>

Expenditures of the association not previously approved and ratified in the annual budget, and exceeding the amount of five hundred dollars (\$500.00) shall require the approval by the majority vote of the membership.

CALIFORNIA PENAL CODE

Section 27545: Where neither party to the transaction holds a dealer's license issued pursuant to Sections 26700 to 26915, inclusive, the parties to the transaction shall complete the sale, loan or transfer of that firearm through a licensed firearms dealer pursuant to Chapter 5 (commencing with Section 28050).

Section 504: Every officer of this state, or of any county, city, city and county, or other municipal corporation or subdivision thereof, and every deputy, clerk, or servant of that officer and every officer, director, trustee, clerk, servant, or agent of any association, society, or corporation (public or private) who fraudulently appropriates to any use or purpose not in the due and lawful execution of that persons trust, any property in his or her possession or under his or her control by virtue of that trust, or secretes it with a fraudulent intent to appropriate it to that use or purpose is guilty of embezzlement.

II. FACTS IN SUPPORT OF PROPOSED DISCIPLINARY ACTION

A. YOU VIOLATED CALIFORNIA LAW BY SELLING A FIREARM WITHOUT COMPLETING THE APPROPRIATE TRANSFER OF THE WEAPON THROUGH A LICENSED FIREARMS DEALER

In December 2011, you sold a Kimber .45 firearm for \$1,000 to the South Pasadena Police Officers Association ("Association") for its annual Christmas party raffle. On December 15, 2011, the Association held its annual Christmas party where the Kimber .45 California firearm was raffled to ________. You were paid for the firearm with a check in the amount of \$1,000 from the Association's checking account.

California Penal Code Section 27545 requires that parties complete the sale, loan or transfer of a firearm through a licensed firearms dealer.

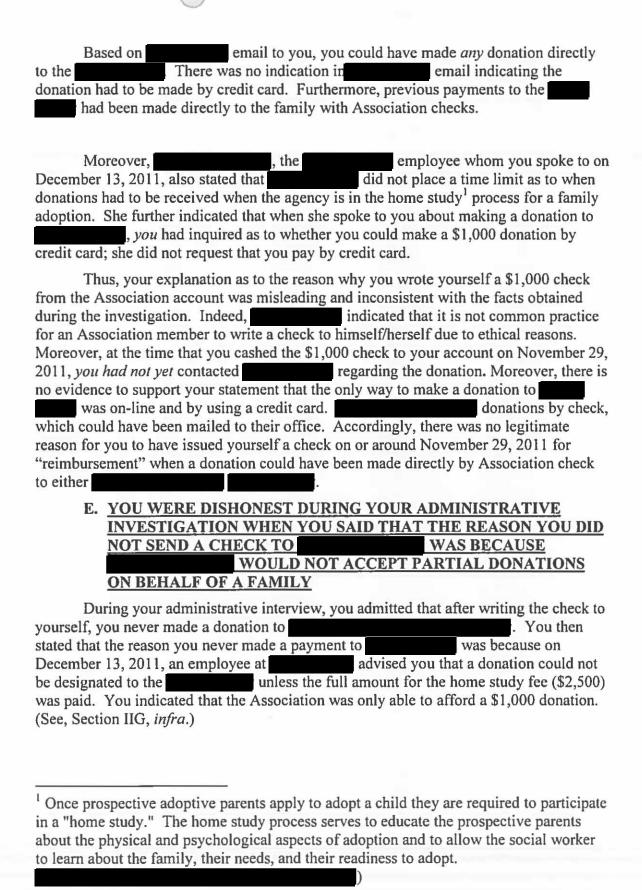
During your administrative interview, you acknowledged that you were familiar with California law pertaining to gun sales and the fact that a licensed dealer must complete the appropriate paperwork between the purchaser and the seller. Nonetheless, you failed to follow the law with respect to the Kimber firearm that you sold to the Association. When asked why you did not follow the required transfer process, you indicated that the gun legally belonged to your ex-wife and therefore, you were not responsible to ensure that it was properly transferred per the California Penal Code. You indicated that your ex-wife gave you the gun as a gift approximately one year ago and that you maintained physical possession of the weapon until you sold it to the Association for the raffle. Despite the fact that you deny *any* responsibility for the transfer of the weapon, you profited from the sale and personally gave the gun to the Association for the raffle. Indeed, at the time of your administrative interview (on August 16, 2013), the gun

had still not been properly transferred to As a result, relinquished the weapon to the Department until the matter could be properly resolved.
While you were not the registered owner of the Kimber .45 firearm that was sold to the Association in December 2011, you maintained physical possession of the gun and profited \$1,000 from its sale. Accordingly, you were the person responsible for ensuring compliance with California law by transferring the gun through a licensed firearms dealer. Your attempt to minimize your responsibility and place the blame on your exwife and is irresponsible and reckless. You clearly were the person most responsible for properly transferring the Kimber firearm through a licensed dealer as required by California law.
B. ON OR ABOUT NOVEMBER 29, 2011, YOU ENGAGED IN CONDUCT UNBECOMING A MEMBER OF THE DEPARTMENT
In November 2011, you served as the President of the South Pasadena Police Officers Association and had various fiduciary responsibilities relating to the financial expenditures for the Association. During your administrative interview, you acknowledged that the money maintained in the Association's checking account belonged to the general membership and not to a particular person.
On or about November 29, 2011, you wrote yourself a check for \$1,000 from the Association's bank account, which was co-signed by This check was placed into your personal bank account on November 29, 2011. At the time you wrote yourself the \$1,000 check, you placed a notation on the check stating it was "reimbursement" for
was a resident of the City. In the past, came to the Association for financial assistance because she was caring for a sick child and could not afford the medical costs for her child's care. Accordingly, the Association used to send (on behalf of her family) money to help cover her family's medical expenses. On November 24, 2011, emailed you to request money toward the adoption of a child through which is an international adoption agency. On November 29, 2011, you sent an email to in which you indicated that the Association had "unanimously voted to contribute to this worthy cause."
However, the Association never voted to donate funds to in 2011 for the adoption of a child through . In fact, your promised donation to had to be cancelled because the Association voted to send the donation instead to the family of an officer who had died at a shooting range. Moreover, none of the other Board members (with the exception of were even aware of the fact that you had written yourself a check for the \$1,000. The Association's bylaws require that expenditures not previously approved and ratified in the annual budget and that exceed \$500 require approval by the majority vote of the Board. You did not have the approval of a majority of the Board to write yourself a check for \$1,000 on or about November 29, 2011.
Furthermore, at no time between November 29, 2011 and December 13, 2011 did
you make any form of payment to Thus, at the time that you wrote the \$1,000 check to yourself for "reimbursement," you had not
at the time that you wrote the \$1,000 check to yourself for remoursement, you had not

personally made any payments, donations, or contributions to

family which would have warranted reimbursement. In fact, at the time that you wrote the check to yourself and represented that it was for reimbursement, you had not had any contact with the co
Your actions constitute conduct unbecoming of a police officer. As President of the Association at the time, you represented to a charitable organization that the Association would be donating money to their "worthy cause." When you did not obtain Board support, you then had to tell that you were rescinding the donation. This action caused embarrassment and discredit to the Department. In addition you engaged in conduct unbecoming a member of the Department when you placed a notation on the check stating it was for "reimbursement" for when no such payment or donation was ever made by you during that period of time. Your actions have resulted in negative attention being placed on you as a member of the Department and the Association.
C. YOU WERE DISHONEST DURING YOUR ADMINISTRATIVE INVESTIGATION WHEN YOU STATED THAT YOU HAD BOARD APPROVAL TO SELL THE KIMBER FIREARM TO THE ASSOCIATION FOR \$1,000.
In order to sell the Kimber firearm to the Association, you were required to obtain a majority vote from the Board. As the Board consisted of five members, you needed three members to support the sale. During your administrative interview, you were asked if any of the Association Board members were aware that you intended to raffle off a Kimber firearm at the 2011 Christmas party. You stated that both who served as a hour who served as the treasurer, were aware of your intention to sell the firearm to the Association for \$1,000.
You were asked to describe exactly what you said to regarding raffling off the Kimber firearm. You said, "I had a discussion. I was initially gonna donate it to the POA and then through conversation, I can't believe, I can't remember who brought it up, it was either him or I, but just said, hey, listen this is an expensive gun. Let's let the POA pay something for it and I don't remember how we came up to \$1,000. Gun was valued at a little over \$1,500 and we settled on an even \$1,000 and when was made aware of it was just simply when I said, hey, listen, this is what we're doing. What do you think and he was a go."
You indicated that these conversations took place approximately a month to a month and a half <i>before</i> the December 15, 2011 Christmas party. You indicated that you had a specific recollection of these conversations with and and You indicated that you could not recall having conversations with any of the other Board members about the sale of the Kimber firearm to the Association since you

approve the sale.	
During his administrative interview, and said he was not present for any discussions prior to the December 15, 2011 Christmas party that involved you and the raffle of the Kimber firearm. also stated that he was not aware that you had written yourself a \$1,000 check from Association funds. He stated that he was first made aware that you were reimbursed for the Kimber firearm on January 9, 2012, when he received an email from you with a list of expenditures for the Christmas party. On the list, it stated, "\$1,000 Kimber 45cal. Handgun (Craig Cooper)*" The asterisk noted, "initial purchase using personal funds and reimbursed by POA (by check)."	
contacted you on this date to determine whether the Association had already reimbursed you for the Kimber firearm. It was only at this time that he four out that you had issued yourself a \$1,000 check on behalf of the Association. In addition your other fellow Board members (with the exception of the \$1,000 check) indicated that they were not aware of nor did they approve the purchase and raffle of the Kimber firearm.	nd n,
Accordingly, you were dishonest during your administrative interview when you said that you informed and got approval from Association Board member for the sale of your Kimber firearm to the Association for \$1,000 in advance of the 2011 Christmas party.	
D. YOU WERE DISHONEST DURING YOUR ADMINISTRATIVE INVESTIGATION WHEN YOU SAID THAT YOU ORIGINALLY WROTE YOURSELF A \$1,000 CHECK FROM THE ASSOCIATION ACCOUNT BECAUSE ANGELS HAVEN WAS ONLY ACCESSIBLE ON-LINE WITH A CREDIT CARD AND THE ASSOCIATION DID NOT HAVE A CREDIT CARD.	
During your administrative interview, you stated that you had intended to make a contribution to by using your personal credit card online because was only accessible on line with a credit card (and the Association does not have credit card). You also stated that mailing a check to would have taken to long because "was on a timeline" and needed payment to be made right away You also told that you did not have time to wait to obtain two signature in order for an Association check to be issued. (The Association requires that any check drawing from Association funds contain the signatures of two Board members.) You stated that you then wrote a check to yourself for \$1,000 for the donation that you were going to make from your personal credit card.	e a o y.
Your reasons for writing yourself a check from the Association's bank account were found to be false, misleading and deceptive.	
On November 24, 2011, sent you an email that stated, in part, "For now we are hoping to raise \$2,500 for our home study fee, which is being conducted by Any donation can be made directly to and is tax deductible. Of course, donations can be made directly to our family if that is preferable. Once the home study is completed we will be	2
eligible for adoption grants and we will be on our way to rescue Khariton"	



family. She stated that she never told you that a partial donation would not be credited to the family.
Accordingly, your reason to investigators for not making the donation after you spoke with on December 13, 2011 was also dishonest.
F. YOU WERE DISHONEST TO 2012, WHEN YOU TOLD HIM THAT YOU SENT CHECK FROM YOUR PERSONAL ACCOUNT AND THAT ANGELS HAVEN RETURNED IT TO YOU BECAUSE IT WAS TOO LATE TO BE ACCEPTED
In January 2012, you told that you actually wrote a check out of your personal checking account to Angels Haven in November 2011 because you did not have time to get Board approval and you knew the Board would approve the request. You then told that the charity would not accept the check because you had turned it in too late. (This also contradicts your statement to investigators that would only accept an online credit card donation.) You told that you had expected to receive reimbursement from the Association for the donation and had therefore written a \$1,000 check to yourself from the Association's account. However, because you never made the donation to that you kept the \$1,000 as payment for the Kimber firearm and that it was a "wash."
Accordingly, your statement to in January 2012 that you had sent a check from your personal account and that returned it because you sent it too late was dishonest. By your own admission, you never made a donation to in response to request to the Association in November 2011.
G. YOU WERE DISHONEST TO DURING THE ADMINISTRATIVE INVESTIGATION WHEN YOU SAID YOU CONTACTED IN ORDER TO DETERMINE IF THE POLICE ASSOCIATION HAD SUFFICIENT FUNDS TO MAKE A DONATION TO
During your administrative interview, you indicated that approached you for a donation in the amount of \$3,500, which would cover a background check in order to adopt a child. You told that you would try to help her out. You indicated that you had spoken to and that he told you that the Association could afford to donate \$1,000 towards the adoption of the child. You indicated that this conversation occurred sometime before November 29, 2011.
denied having this conversation with you and stated that the first time he spoke to you about the \$1,000 check was in January 2012. He said that prior to January 2012, no one had approached him with plans to make a donation to He stated that the January 9, 2012 email regarding the Christmas party expenses resulted in his only conversation with you concerning the donation to the Moreover, it was not until he spoke with you in January 2012 that he discovered that the

\$1,000 check, written down as a budgeted expense for the Christmas raffle, was originally written for a different purpose, that it had already been cashed, and that you were using the money to now reimburse yourself for the sale of the Kimber firearm. Your version of events were not deemed to be credible. Accordingly, you were dishonest when you told investigators that you contacted to determine if there were sufficient funds in the Association account available to make the donation to the family. H. YOU WERE DISHONEST TO ON NOVEMBER 29, 2011 WHEN YOU STATED IN AN EMAIL TO HER THAT YOU HAD FULL BOARD APPROVAL TO MAKE A DONATION TO HER WORTHWHILE CAUSE. On November 29, 2011 at 3:00 a.m. you sent an email from your City account in which you stated, in part, POA board members and we have unanimously voted to contribute to this worthy cause..." In 2011, the Association's Board members consisted of you, stated that he was not present for any discussions involving a donation to and there was not a Board meeting involving that issue. Similarly, indicated that he was not aware of any donation to until he had a conversation with you in January 2012 regarding reimbursement for the Kimber firearm (see section IIF, infra.) Accordingly, you were dishonest when you stated that you had full Board approval to make a donation to. You did not speak to about such a donation. Moreover, you lied to told her, in writing, that you had "unanimous" Board approval for the donation. The evidence showed that there was not unanimous Board approval at any point in November or December 2011 respective to making a donation to the I. YOU WERE DISHONEST TO WHEN YOU STATED THAT THE INITIAL PURCHASE OF THE KIMBER FIREARM WAS FROM PERSONAL FUNDS AND THAT YOU WERE REIMBURSED BY AN ASSOCIATION CHECK. an email with an itemized On January 9, 2012, you sent expenditure list for the Association's Christmas party. The email indicated that the Kimber firearm which you were donating for the raffle had been purchased by you using personal funds. You indicated that the Association had reimbursed you for the firearm. Accordingly, your email to was dishonest. You did not purchase the Kimber firearm with your personal funds. It had been given to you by your ex-wife approximately one year prior. Additionally, there was no Association check that had been issued to you that was specifically designated to reimburse you for the Kimber firearm.

J. YOU WERE DISHONEST WHEN YOU WROTE YOURSELF A CHECK FOR \$1,000 AND STATED IT WAS FOR

"REIMBURSEMENT" FOR ANGELS HAVEN AND THE WHEN IN FACT NO SUCH PAYMENT WAS EVER MADE TO EITHER PARTY DURING THAT TIME

The \$1,000 check that you issued to yourself and cashed on November 29, 2011 contained a notation that it was for "reimbursement" for a donation to and. This notation was dishonest, misleading and deceptive. In fact, no such payment or donation was ever made by you to "reimbursement" would lead a reasonable person to believe that you were being paid back or refunded for a prior expense that you incurred and was making payment on. Clearly this was a lie.

III. ANALYSIS

In Skelly v. State Personnel Board (1975) 15 Cal.3d 194, 218, the California Supreme Court held that in considering the propriety of public employee disciplinary action:

[T]he overriding consideration in these cases is the extent to which the employee's conduct resulted in, or if repeated is likely to result in harm to the public service.... Other relevant factors include the circumstances surrounding the misconduct and the likelihood of its recurrence.

Police officers are held to the highest standards of conduct. (See Ackerman v. State Personnel Board (1983) 145 Cal.App.3d, 395, 400.) A police officer is expected to tell the truth at all times (Id. at 391), and credibility and honesty are essential traits of a law enforcement professional. (Id.) Conversely, dishonesty is an intolerable flaw in a law enforcement officer. (See Kolender v. San Diego County Civil Service Comrn'n (2005) 132 Cal.App.4th 716.)

Dishonesty renders a police officer unable to perform one of the essential functions of the job, i.e., to testify truthfully and competently in a court of law. Because the records of an officer's dishonesty are potentially discoverable both pursuant to a *Pitchess* motion under *Evidence Code* sections 1043-1045, and pursuant to *Brady v. Maryland* (1963) 373 U.S. 83, it is reasonable to assume that your dishonesty during your investigative interview will render you utterly ineffective as a prosecution witness. (*Id.*; *United States v. Bagley* (1985) 473 U.S. 667.)

Termination from employment is the appropriate disciplinary action for dishonesty by a police officer even in instances where an officer was a long-term employee with little or no record of prior discipline. (See *Nicolini v. Tuolumne* (1987) 190 Cal.App.3d 619 [upholding termination of a deputy sheriff for dishonesty where deputy had nine years of service and no prior discipline]; *Paulino v. Civil Service Commission* (1985) 175 Cal.App.3d 962 [upholding discharge of police officer for falsely reporting sick leave].)

With these principles in mind, I am proposing to terminate your employment because a preponderance of the evidence demonstrates that you engaged in conduct unbecoming of a peace officer and were dishonest during the administrative investigation in order to justify your actions. The evidence demonstrates that you engaged in a pattern of inappropriate, unethical and deceptive conduct when you "reimbursed" yourself for a

are essential job functions, and that dishonesty is an intolerable character flaw for a law enforcement officer. Therefore, there is no other reasonable option but to dismiss you from employment.

Given the circumstances surrounding your dishonesty, and the high likelihood of recurrence and the obvious harm to the public service, it is my belief that your misconduct warrants termination of your employment.

IV. DOCUMENTS IN SUPPORT OF THE PROPOSED DISCIPLINE

Attached for your review are the materials upon which this proposed action is based. Although not attached, in arriving at the preliminary determination to terminate your employment, I have also reviewed and considered your personnel file and evaluation history. You may make an appointment with Human Resources to examine that file.

V. RIGHT TO RESPOND

Pursuant to *Skelly v. State Personnel Board* (1975) 15 Cal.3d 194 and as provided for by the City's Personnel Rules and Regulations, Rule 11.6, you may respond to this notice. Your response shall be made to Assistant City Manager Hilary Straus and may be written or oral.

In the event you wish to make an oral response to this notice, Mr. Straus has scheduled a meeting for January 2, 2014, at 9:00 a.m., at the South Pasadena City Hall, 1414 Mission Street, South Pasadena, CA 91030. You have the right to be accompanied by the representative of your choice at this meeting.

In lieu of or in addition to meeting with Mr. Straus, you may provide a written pre-disciplinary response to this notice. Any written response you may wish to make must be received by Mr. Straus by December 17, 2013.

If you do not present a timely written or verbal response, you will be deemed to have waived your right to pre-termination review and Mr. Straus will make his final disciplinary determination based solely upon a review of my recommendation and the information serving as the basis for the proposed action.

Should Mr. Straus determine that termination of your employment is warranted, the termination shall be effective immediately, upon service upon you of the final notice of termination.

Attachments:

A. Administrative Investigation Prepared for the City of South Pasadena, dated September 30, 2013

ACKNOWLEDGMENT OF RECEIPT

Should Mr. Straus determine that termination of your employment is warranted, the termination shall be effective immediately, upon service upon you of the final notice of termination.

Attachments:

A. Administrative Investigation Prepared for the City of South Pasadena, dated September 30, 2013

ACKNOWLEDGMENT OF RECEIPT

By: Chief as Mill.

I acknowledge receiving this notice on Dec. 18, 2013.

Craig Cooper



CITY OF SOUTH PASADENA 1414 MISSION STREET, SOUTH PASADENA, CA 91030

TEL: 626-403-7312 FAX: 626-403-7313

MEMORANDUM

TO:

Craig Cooper

FROM:

Hilary Straus, Assistant City Manager

DATE:

February 4, 2014

RE:

NOTICE OF TERMINATION

I. NOTICE OF TERMINATION

The purpose of this Memorandum is to advise you that effective February 4, 2014 at 1700 hours, you are terminated as a peace officer with the City of South Pasadena. This Notice of Termination is based on the following content.

II. THE PRE-DISCIPLINARY MEETING PROCESS

Pursuant to Rule 11.6 of the City of South Pasadena's ("City") Personnel Rules and Regulations and Skelly v. State Personnel Board (1975) 15 Cal. 3d 194, you were provided with a Notice of Intent to Terminate Employment which set forth Police Chief Miller's preliminary determination that you be terminated from your employment as a police officer with the City.

Pursuant to City Personnel Rule 11.6(c)(d), I am now issuing this Final Notice of Discipline (Termination).

Administrative appeal procedures shall be set forth at the conclusion of this Notice of Termination. Thus, I base this Notice of Termination on the following:

III. RULES AND REGULATIONS VIOLATED

This Notice of Termination is based upon my determination that you have committed the following violations of the Law Enforcement Code of Ethics, the City of South Pasadena's Police Department Duty Manual, the City's Personnel Rules and Regulations and the California Penal Code. Please note that your commission of any one of the following violations, standing alone, would support a decision to terminate your employment. A decision to terminate your

employment need not be based upon a finding or conclusion that you committed multiple rule violations and/or that you violated all of the rules set forth below.

LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression and intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsulfied as an example to ail; maintain courageous calm in the face of danger, scorn and ridicule; develop self restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in official capacity will be kept ever secret unless a revelation is necessary in the performance of my duty.

I will never act officiously or permit my personal feeling, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God and my chosen profession...

CITY OF SOUTH PASADENA PERSONNEL RULES AND REGULATIONS

11.3(O) Any willful act of conduct, undertaken in bad faith, either during our outside of duty hours of such a nature that it causes discredit to the City, the employee's department or division.

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705.04(j) They engage in any activity which constitutes a conflict of interest or is a violation of any law.

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Section 504: Every officer of this state, or of any county, city, city and county, or other municipal corporation or subdivision thereof, and every deputy, clerk, or servant of that officer and every officer, director, trustee, clerk, servant, or agent of any association, society, or corporation (public or private) who fraudulently appropriates to any use or purpose not in the due and lawful

execution of that persons trust, any property in his or her possession or under his or her control by virtue of that trust, or secretes it with a fraudulent intent to appropriate it to that use or purpose is guilty of embezzlement.

IV. FACTUAL BASES FOR THE ACTION

This disciplinary decision is not and need not be reasonably based on a finding by me or any future reviewing person or body, that each of the following causes exist for your termination. The existence of any one of the following causes would reasonably support my decision.

A. You Violated California Law by Selling a Firearm Without
Completing the Appropriate Transfer of the Weapon Through a
Licensed Firearms Dealer.

In December 2011, you sold a Kimber .45 firearm for \$1,000 to the South Pasadena Police Officers Association ("Association") for its annual Christmas party raffle. On December 15, 2011, the Association held its annual Christmas party where the Kimber .45 California firearm was raffled to _______. You were paid for the firearm with a check in the amount of \$1,000 from the Association's checking account.

California Penal Code Section 27545 requires that parties complete the sale, loan or transfer of a firearm through a licensed firearms dealer.

During your administrative interview, you acknowledged that you were familiar with California law pertaining to gun sales and the fact that a licensed dealer must complete the appropriate paperwork between the purchaser and the seller. Nonetheless, you failed to follow the law with respect to the Kimber firearm that you sold to the Association. When asked why you did not follow the required transfer process, you indicated that the gun legally belonged to your ex-wife and therefore, you were not responsible to ensure that it was properly transferred per the California Penal Code. You indicated that your ex-wife gave you the gun as a gift approximately one year ago and that you maintained physical possession of the weapon until you sold it to the Association for the raffle. Despite the fact that you deny any responsibility for the transfer of the weapon, you profited from the sale and personally gave the gun to the Association for the raffle. Indeed, at the time of your administrative interview (on August 16, 2013), the gun had still not been properly transferred to . As a result, relinquished the weapon to the Department until the matter could be properly resolved.

While you were not the registered owner of the Kimber .45 firearm that was sold to the Association in December 2011, you maintained physical possession of the gun and profited \$1,000 from its sale. Accordingly, you were the person responsible for ensuring compliance with California law by transferring the gun through a licensed firearms dealer. Your attempt to minimize your responsibility and place the blame on your ex-wife and

reckless. You clearly were the person most responsible for properly transferring the Kimber firearm through a licensed dealer as required by California law.

B. On or About November 29, 2011, You Engaged in Conduct Unbecoming a Member of the Department.

In November 2011, you served as the President of the South Pasadena Police Officers Association and had various fiduciary responsibilities relating to the financial expenditures for the Association. During your administrative interview, you acknowledged that the money maintained in the Association's checking account belonged to the general membership and not to a particular person.

On or about November 29, 2011, you wrote yourself a check for \$1,000 from the

Association's bank account, which was co-signed by This check was placed into your personal bank account on November 29, 2011. At the time you wrote yourself the \$1,000 check, you placed a notation on the check stating it was "reimbursement" for
was a resident of the City. In the past, came to the Association for financial assistance because she was caring for a sick child and could not afford the medical costs for her child's care. Accordingly, the Association used to send (on behalf of her family) money to help cover her family's medical expenses. On November 24, 2011, emailed you to request money toward the adoption of a child through, which is an international adoption agency. On November 29, 2011, you sent an email from your City email account to in which you indicated that the Association had "unanimously voted to contribute to this worthy cause."
However, the Association never voted to donate funds to the adoption of a child through In fact, your promised donation to was cancelled because, as represented by you, the Association vote to send the donation instead to the family of an officer who had died at a shooting range. Moreover, none of the other Board members (with the exception of were even aware of the fact that you had written yourself a check for the \$1,000. The Association's bylaws require that expenditures not previously approved and ratified in the annual budget and that exceed \$500 require approval by the majority vote of the Board. You did not have the approval of a majority of the Board to write yourself a check for \$1,000 on or about November 29, 2011.
Furthermore, at no time between November 29, 2011 and December 13, 2011 did you make any form of payment to Thus, at the time that you wrote the \$1,000 check to yourself for "reimbursement," you had not personally made any payments, donations, or contributions to which would have warranted reimbursement. In fact, at the time that you wrote the check to yourself and represented that it was for reimbursement, you had not even had any contact

with Angels Haven. Rather, it was not until December 13, 2011 that you made phone contact with Angels Haven inquiring about making a credit card donation on behalf of the sent an invoice on December 13, 2011 for a \$1,000 donation to you at your personal e-mail address. You did not submit payment on that invoice. Instead, you decided to use the "pre-written" Association reimbursement check the amount of \$1,000 to pay yourself for the Kimber pistol, which you had sold to the Association (also without Board approval). (See section IIA, <i>infra</i> .)
Your actions constitute conduct unbecoming of a police officer. As President of the Association at the time, you represented to a charitable organization that the Association would be donating money to their "worthy cause." When you failed to obtain Board support, you then had to tell you were rescinding the donation. This action caused embarrassment and discredit to the Department and to yourself.
In addition you engaged in conduct unbecoming a member of the Department when you placed a notation on the check stating it was for "reimbursement" for "when no such payment or donation was ever made by you during that period of time. Your actions have resulted in negative attention being placed on you as a member of the Department and the Association.
C. You Were Dishonest During Your Administrative Investigation When You Stated That You Had Board Approval to Sell the
Kimber Firearm to the Association For \$1,000.
In order for the Association to purchase the Kimber firearm from you, a majority of the Board had to vote for the purchase. As the Board consisted of four members, three members needed to vote in favor of the purchase. During your administrative interview, you were asked if any of the Association Board members were aware that you intended to raffle off a Kimber firearm at the 2011 Christmas party. You stated that both President, and who served as the treasurer, were aware of your intention to sell the firearm to the Association for \$1,000.

You indicated that these conversations took place approximately a month to a month and a half *before* the December 15, 2011 Christmas party. You indicated

that you had a specific recollection of these conversations with and You indicated that you could not recall having conversations with any other Board member about the sale of the Kimber firearm to the Association since you had the three votes (you, necessary for the purchase (i.e., a majority of the Board voted to approve purchase the weapon).
During his administrative interview, however, present for any discussions prior to the December 15, 2011 Christmas party that involved you and the purchase by the Association of the Kimber firearm. also stated that he was not aware that you had written yourself a \$1,000 check from Association funds. He stated that he was first made aware that you were reimbursed for the Kimber firearm on January 9, 2012, when he received an email from you with a list of expenditures for the Christmas party. On the list, it stated, "\$1,000 Kimber 45cal. Handgun (Craig Cooper)*" The asterisk noted, "initial purchase using personal funds and reimbursed by POA (by check)."
contacted you on this date to determine whether the Association had already reimbursed you for the Kimber firearm. It was only at this time that he found out that you had issued yourself a \$1,000 check on behalf of the Association. In addition, exception of who co-signed the \$1,000 check) indicated that he was not aware of nor did he approve the purchase and raffle of the Kimber firearm.
Accordingly, you were dishonest during your administrative interview when you said that you informed and got approval from Association Board member for the sale of your Kimber firearm to the Association for \$1,000 in advance of the 2011 Christmas party.
D. You Were Dishonest During Your Administrative Investigation When You Said That You Originally Wrote Yourself a \$1,000 Check From the Association Account Because Angels Haven Was Only Accessible On-Line With a Credit Card and the Association Did Not Have a Credit Card.
During your administrative interview, you stated that you had intended to make a contribution to by using your personal credit card online because was only accessible on line with a credit card (and the Association does not have a credit card). You also stated that mailing a check to Angels Haven would have taken too long because "was on a timeline" and needed payment to be made right away. You also told that you did not have time to wait to obtain two signatures in order for an Association
check to be issued. (The Association requires that any check drawing from Association funds contain the signatures of) You stated
that you then wrote a check to yourself for \$1,000 for the donation that you were
going to make from your personal credit card.

Your reasons for writing yourself a check from the Association's bank account were found to be false, misleading and deceptive. On November 24, 2011, sent you an email that stated, in part, "For now we are hoping to raise \$2,500 for our home study fee, which is being conducted by non-profit organization. Any donation can be made directly to and is tax deductible. Of course, donations can be made directly to our family if that is preferable. Once the home study is completed we will be eligible for adoption grants and we will be on our way to rescue Khariton..." s email to you, you could have made any donation directly Based on . There was no indication in email indicating the to the donation had to be made by credit card. Furthermore, previous payments to the had been made directly to the family with Association checks. mployee with whom you spoke Moreover, on December 13, 2011, also stated that did not place a time limit as to when donations had to be received when the agency is in the home study process for a family adoption. She further indicated that when she spoke to you about making a donation to government, you had inquired as to whether you could make a \$1,000 donation by credit card; she did not request that you pay by credit card. Thus, your explanation as to the reason why you wrote yourself a \$1,000 check from the Association account was misleading and inconsistent with the facts obtained during the investigation. Indeed, indicated that it is not common practice for an Association member to write a check to himself/herself due to ethical reasons. Moreover, at the time that you cashed the \$1,000 check to your account on November 29, 2011, you had not yet contacted Angels Haven regarding the donation. Moreover, there is no evidence to support your statement that the only way to make a donation to was on-line and by using a credit card. Angels Haven accepts donations by check, which could have been mailed to their office. Accordingly, there was no legitimate reason for you to have issued yourself a check on or around November 29, 2011 for "reimbursement" when a donation could have been made directly by Association check to either E. You Were Dishonest During Your Administrative Investigation When You Said That the Reason You Did Not Send a Check to Once prospective adoptive parents apply to adopt a child they are required to participate in a "home study." The home study process serves to educate the prospective parents about the physical and psychological aspects of adoption and to allow the social worker to learn about the family, their needs, and their readiness to adopt.

Angels Haven Was Because Angels Haven Would Not Accept Partial Donations on Behalf of a Family

During your administrative interview, you admitted that after writing the check to yourself, you never made a donation to Angels Haven or the You then stated that the reason you never made a payment to Angels Haven was because on December 13, 2011, an employee at Angel Haven advised you that a donation could not be designated to the unless the full amount for the home study fee (\$2,500) was paid. You indicated that the Association was only able to afford a \$1,000 donation. (See, Section IIG, <i>infra</i> .)
However, stated that partial donations <i>could</i> be made on behalf of a family. She stated that she never told you that a partial donation would not be credited to the family.
Accordingly, your reason to investigators for not making the donation after you spoke with Angels Haven on December 13, 2011 was also dishonest.
F. You Were Dishonest to You Told Him That You Sent Personal Account and That Because It Was Too Late to Be Accepted in January 2012, When a Check from Your Returned It to You
In January 2012, you told that you actually wrote a check out of your personal checking account to in November 2011 because you did not have time to get Board approval and you knew the Board would approve the request. You then told that the charity would not accept the check because you had turned it in too late. (This also contradicts your statement to investigators that would only accept an online credit card donation.) You told that you had expected to receive reimbursement from the Association for the donation and had therefore written a \$1,000 check to yourself from the Association's account. However, because you never made the donation to that you kept the \$1,000 as payment for the Kimber firearm and that it was a "wash."
Accordingly, your statement to in January 2012 that you had sent a check from your personal account and that returned it to because you sent it in too late was dishonest. By your own admission, you never made a donation to response to request to the Association in November 2011.
G. You Were Dishonest During the Administrative Investigation When You Said You Contacted in Order to Determine if the Police Association Had Sufficient Funds to Make a Donation to

approached you for a donation in the amount of \$3,500, which would cover a background check in order to adopt a child. You told that you would try to help her out. You indicated that you had spoken to and that he told you that the Association could afford to donate \$1,000 towards the adoption of the child. You indicated that this conversation occurred sometime before November 29, 2011.
denied having this conversation with you and stated that the first time he spoke to you about the \$1,000 check was in January 2012. He said that prior to January 2012, no one had approached him with plans to make a donation to
Your version of events was not deemed to be credible. Accordingly, you were dishonest when you told investigators that you contacted to determine if there were sufficient funds in the Association account available to make the donation to the
H. You Were Dishonest To November 29, 2011 When
You Stated In An Email To Her That You Had Full Board Approval To Make A Donation To Her Worthwhile Cause.
You Stated In An Email To Her That You Had Full Board Approval
You Stated In An Email To Her That You Had Full Board Approval To Make A Donation To Her Worthwhile Cause. On November 29, 2011 at 3:00 a.m. you sent an email from your City account in which you stated, in part, have brought this matter to the POA board members and we have unanimously voted to contribute to this
You Stated In An Email To Her That You Had Full Board Approval To Make A Donation To Her Worthwhile Cause. On November 29, 2011 at 3:00 a.m. you sent an email from your City account in which you stated, in part, have brought this matter to the POA board members and we have unanimously voted to contribute to this worthy cause"

I. You Were Dishonest to When You Stated that The Initial Purchase of the Kimber Firearm Was From Personal Funds and That You Were Reimbursed by an Association Check.
On January 9, 2012, you sent an email with an itemized expenditure list for the Association's Christmas party. The email indicated that the Kimber firearm which you were donating for the raffle had been purchased by you using personal funds. You indicated that the Association had reimbursed you for the firearm.
Accordingly, your email to was dishonest. You did not purchase the Kimber firearm with your personal funds. It had been given to you by your ex-wife approximately one year prior. Additionally, there was no Association check that had been issued to you that was specifically designated to reimburse you for the Kimber firearm.
J. You Were Dishonest When You Wrote Yourself a Check for \$1,000 And Stated it Was For "Reimbursement" for Angels Haven and the Was For "Reimbursement" for Angels Haven and the Was Ever Made to Either Party During That Time
The \$1,000 check that you issued to yourself and cashed on or about November 29, 2011 contained a notation that it was for "reimbursement" for a donation to . This notation was dishonest, misleading and deceptive. In fact, no such payment or donation was ever made by you to . The use of the word "reimbursement" would lead a reasonable person to believe that you were being paid back or refunded for a prior expense that you incurred and was making payment on. Clearly this was a lie.
V. SKELLY PRE-DISCIPLINARY MEETING
Following service upon you of a Notice of Intent to Terminate Employment on or

Following service upon you of a Notice of Intent to Terminate Employment on or around December 10, 2013, I met with you for on January 13, 2014 for a pre-disciplinary *Skelly* meeting. Your attorney, Richard Shinee, of the law firm Green and Shinee was present at the meeting with you. Also present were Police Chief Miller and Adrianna E Guzman, special counsel to the City.

Mr. Shinee raised several points in your defense.² Mr. Shinee questioned the underlying facts upon which the City moved forward with the proposed discipline. He claimed this was a vendetta by the Association. He also claimed this was

² Please note that the discussion here is not an exhaustive recitation of each and every issue raised over the course of the Skelly meeting but is merely a summary of what I have determined to be some of the more significant points discussed. Whether or not specifically addressed in this notice, I have taken into consideration all of the matters that were discussed at the meeting.

purely a POA matter that did not involve the City, so your actions should not result in discipline.

I carefully considered Mr. Shinee's statements, reviewed the file and reviewed all information relating to this discipline. Notwithstanding the foregoing, I have no information that warrants a change in the proposed discipline. Therefore, I have decided to sustain the recommendation of discipline proposed by Chief Miller.

VI. ANALYSIS

In Skelly v. State Personnel Board (1975) 15 Cal.3d 194, 218, the California Supreme Court held that in considering the propriety of public employee disciplinary action:

[T]he overriding consideration in these cases is the extent to which the employee's conduct resulted in, or if repeated is likely to result in harm to the public service.... Other relevant factors include the circumstances surrounding the misconduct and the likelihood of its recurrence.

Police officers are held to the highest standards of conduct. (See Ackerman v. State Personnel Board (1983) 145 Cal.App.3d, 395, 400.) A police officer is expected to tell the truth at all times (Id. at 391), and credibility and honesty are essential traits of a law enforcement professional. (Id.) Conversely, dishonesty is an intolerable flaw in a law enforcement officer. (See Kolender v. San Diego County Civil Service Comm'n (2005) 132 Cal.App.4th 716.)

With these principles in mind, I have determined that the appropriate penalty for your misconduct is termination of your employment as a police officer because a preponderance of the evidence demonstrates that you engaged in conduct unbecoming of a peace officer and were dishonest during the administrative investigation in order to justify your actions.

Dishonesty renders a police officer unable to perform one of the essential functions of the job, i.e., to testify truthfully and competently in a court of law. Because the records of an officer's dishonesty are potentially discoverable both pursuant to a *Pitchess* motion under *Evidence Code* sections 1043-1045, and pursuant to *Brady v. Maryland* (1963) 373 U.S. 83, it is reasonable to assume that your dishonesty during your investigative interview will render you utterly ineffective as a prosecution witness. (*Id.*; *United States v. Bagley* (1985) 473 U.S. 667.)

Termination from employment is the appropriate disciplinary action for dishonesty by a police officer even in instances where an officer was a long-term employee with little or no record of prior discipline. (See *Nicolini v. Tuolumne* (1987) 190 Cal.App.3d 619 [upholding termination of a deputy sheriff for dishonesty where deputy had nine years of service and no prior discipline]; *Paulino v. Civil Service Commission* (1985) 175 Cal.App.3d 962 [upholding discharge of police officer for falsely reporting sick leave].)

A preponderance of the evidence demonstrates that you engaged in a pattern of inappropriate, unethical and deceptive conduct when you "reimbursed" yourself for a donation that you never gave (and it is questionable whether you ever intended to give) to and the subsequent "sale" of your Kimber firearm to the Association without Board approval. Your actions demonstrate poor judgment and an inability to conform to the Department's principles and policies. You have shown an egregious pattern of misconduct. including misrepresentation of material facts to outside investigators and your own colleagues, as well as a general disregard for Department policies and California law for your own personal gain. The law is clear that credibility and honesty of a police officer are essential job functions, and that dishonesty is an intolerable character flaw for a law enforcement officer. Therefore, there is no other reasonable option but to dismiss you from employment. Given the circumstances surrounding your dishonesty, and the high likelihood of recurrence and the obvious harm to the public service, it is my belief that your misconduct warrants termination of your employment.

VII. <u>DOCUMENTS IN SUPPORT OF THE DISCIPLINE</u>

The materials upon which this Notice of Termination is based have already been provided to you and are deemed incorporated herein by reference as though set forth in full. Those documents will not be reattached. Your Personnel file and evaluation history have also been considered and are not attached but are available for your review by making an appointment to do so with the Human Resources Department.

VIII. APPEAL RIGHTS

Pursuant to City Personnel Rule 12.1 you may appeal this termination decision by filing with the Human Resources Department a written request for appeal, not later than five (5) working days after service of this Notice upon you or your attorney. Failure to file a timely written appeal shall result in you being barred from challenging my decision in any administrative or civil proceeding. A copy of Personnel Rule 12 is attached for your review.

Attachments: City Personnel Part I, Rule 12.

On 8/4/14, I witnessed the personal delivery of this Notice of Termination to Sergeant Craig Cooper.

By: ST JIMVALENCIA

I acknowledge receiving this Notice of Termination on

Date

Craig Cooper

Served by first class, certified, return receipt requested mail on

Richard Shinee Green & Shinee, APC 16055 Ventura Blvd, Suite 1000 Encino, CA 91436

- (c) After considering the employee's response to the notice of intended action, the person hearing the response shall make a recommendation to the City Manager. The City Manager shall review the recommendation, the information which formed the basis for the action, and the employee's response. The City Manager shall issue a final notice affirming, modifying or rejecting the intended discipline. If the final notice imposes discipline it shall set forth the effective date of the discipline.
- (d) The final notice shall be sent by registered mail to the last known address of the employee It shall be the responsibility of the employee to inform the City of his/her address. If the notice is not deliverable because the employee has moved without notifying the City or the employee refuses to accept delivery, the effective date of discipline shall be the date the post office attempted delivery.

11.7 Waiver of Hearing

An employee recommended for disciplinary action may request in writing to the City Manager that no pre-termination hearing be held, in which case the City Manager shall affirm the discipline of the employee. Such a request by an employee shall be on a form prescribed by the Personnel Office. If within five (5) days after notification, the employee has not affirmatively requested a Pre-Determination hearing or review, such failure to request shall be construed as a waiver of all review and appeal rights, unless such failure is for reasons beyond the control of the employee.

RULE 12. HEARING

- 12.1 A regular, non-exempt employee suspended for more than three (3) days, demoted, reduced in pay or terminated may, within five (5) working days of receipt of the written notice of discipline or within five (5) working days of attempted delivery by the post office of the notice to the last known address of the employee, file with the Personnel Office a request for appeal.
- 12.2 The Personnel Office shall select a hearing officer not currently employed by the City to hear the appeal.
- 12.3 The hearing officer's decision shall be advisory to the City Manager.
- 12.4 After the selection of a hearing officer, a date shall be selected by the Personnel Office for the conduct of the hearing. The employee appealing shall be notified in writing at least two weeks prior to the hearing of the scheduled date.
- 12.5 The hearing shall be a closed hearing unless the employee requests in writing one week prior to the hearing to have a public hearing.

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- 12.6 The hearing shall be recorded, either electronically or by a court reporter at the option of the City.
- 12.7 Upon the request of either party, and upon his/her own motion, the hearing officer shall have the power to issue subpoenas to compel attendance at any hearing held under this rule.
- 12.8 Two days prior to a hearing pursuant to this rule each party shall identify to the opposing party all witnesses and documents which the party disclosing the information intends to use at the hearing. Failure to disclose a witness or document shall require its exclusion from the hearing.
- 12.9 The employee shall appear personally before the hearing officer at the time and place set for the hearing. The employee may be represented by any person he or she may select.

12.10 Conduct at the Hearing

- (a) All testimony shall be by oath or affirmation.
- (b) The conduct and decorum of the hearing shall be under the control of the Hearing Officer.
- (c) Direct and cross-examination of witnesses shall be permitted.
- (d) Hearings need not be conducted according to technical rules relating to evidence and witnesses.
- (e) The hearing officer shall not have the power to alter, amend, change, add to, or subtract from any of the terms of these Rules or other resolution bearing upon the matter, which has been adopted by the City Council.
- 12.11 Within thirty (30) days of the conclusion of the hearing, the Hearing Officer shall make findings with reference to the discipline imposed to the Personnel Officer; and the Personnel Officer shall forward a copy of the certified findings to the employee, the department head, and the City Manager. The City Manager shall review the findings and recommendations and may then affirm, revoke, or modify the findings, recommendations, or disciplinary action taken, as appears warranted to the City Manager. The decision of the City Manager is final.

12.12 Reimbursement for Loss of Pay

Reimbursement for loss of pay due to the disciplinary action which is subsequently revoked by the City Council shall be made to an employee. Said reimbursement pertains to and is confined to the period of time between the date of action by the City and ending with the date of final decision as set forth in Rule 13..12. Any compensation received by the employee from other employment during the period for

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which reimbursement is given is deductible from any City compensation payable under this section.

RULE 13. GRIEVANCE PROCEDURE

13.1 Employees shall have the right to grieve any misinterpretation, misapplication or violation of any provision of the Personnel Rules and Regulations.

13.2 Procedure

- (a) In any instances of grievance, the employee or employees adversely affected shall first make efforts to resolve such grievances with their immediate supervisor without resort to the formal filing of a grievance.
- (b) An employee with a grievance may select a representative from the City staff to assist him/her in utilizing the grievance procedure. Such representative may use a reasonable amount of work time while rendering such assistance subject to the following:
 - (1) The representative shall obtain approval of his/her immediate supervisor before spending any work time in activity related to the grievance. Approval shall be given, but shall be contingent upon the needs of the department.
 - (2) The representative may not leave his/her workstation or a work location under the supervision of other than his/her immediate supervisor without obtaining prior approval of the concerned supervisors.
 - (3) No overtime pay will be paid for any time spent in the processing of grievances.
- (c) An employee who wishes to file a grievance must do so within five (5) working days of the occurrence or within five (5) working days of the date the employee knew or should have known of the occurrence.
 - Step 1: (A) The employee will present the grievance in writing to the immediate supervisor.
 - (B) The immediate supervisor will answer the grievance in writing within five (5) working days.
 - Step 2. (A) An employee and/or his/her representative wishing to pursue a grievance further will, within five (5) working days, present it in writing to the department head and request an interview. The department head will then schedule an interview with the department head and the employee.
 - (B) The department head will present his/her written answer to the employee within five (5) working days of the interview.

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ADMINISTRATIVE INVESTIGATION PREPARED FOR THE CITY OF SOUTH PASADENA

September 30, 2013

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SECTION 1 INTRODUCTION AND SUMMARY

SECTION 1

INTRODUCTION AND SUMMARY

INTRODUCTION

RCS Investigations and Consulting was retained to conduct an administrative investigation on behalf of the South Pasadena Police Department with respect to allegations of misconduct against Sergeant Craig Cooper.

In September 2012, information was brought forth to the attention of then Chief of Police Joseph Payne regarding allegations of misconduct involving Sergeant Cooper of the South Pasadena Police Department. The allegations involved possible misuse of police association funds and the sale of Kimber firearm by Cooper during the time frame of November and December 2011.

Shortly after the information was brought to Chief Payne's attention in September 2012, he contacted the Los Angeles County District Attorney's Office and the Los Angeles County Sheriff's Department and a criminal investigation was initiated. According to Chief Payne at the time he made a decision to conduct a criminal investigation, there was no action taken by the department to conduct an administrative investigation. Subsequent to Chief Payne contacting the Los Angeles County Sheriff's Department, a criminal investigation was commenced by Sergeant Rodney Moore on or about October 24, 2012. The criminal matter was still pending as of the conclusion of this administrative investigation in September 2013.

RCS Investigations and Consulting was retained to conduct a neutral and fair investigation on behalf of the South Pasadena Police Department. Various documents were reviewed including; policy statements, penal code sections, e-mails, sales receipts, and other relevant information. Each of those documents was reviewed and interviews conducted as part of the work product of the investigation. All of the documents used to reach a finding in the investigation were included as exhibits in this report.

RCS Investigators identified the following allegations as it related to conduct involving Sergeant Craig Cooper.

Allegation "1" – It was alleged in December 2011, that Sergeant Cooper engaged in activity which constituted a violation of California law when he arranged for and profited from the sale of a Kimber firearm without completing the appropriate transfer of the weapon through a licensed firearms dealer as required.

Allegation "2" – It was alleged on or about November 29, 2011, that Sergeant Cooper engaged in adverse conduct which was unbecoming a member of the South Pasadena Police Department, when he wrote himself a check from the police association bank account in the amount of \$1,000 and documented the expenditure as "reimbursement" for charitable purposes. It was alleged at the time Cooper wrote himself the \$1,000 check as "reimbursement" for the had not made any payments or donations on their behalf to be legitimately reimbursed for. Coopers actions resulted in other members of the department bringing information forward about alleged misconduct and it subsequently resulted in a criminal investigation by the Los Angeles County Sheriff's Department which is still pending.

Allegation "3" - It was alleged at various periods of time from November 2011 through August 16, 2013, that Sergeant Cooper provided false and misleading statements, orally and in writing, to various individuals including RCS Investigators, regarding events pertaining to the sale of a Kimber firearm and a \$1,000 association check which was deposited into Coopers personal bank account.

SUMMARY

The South Pasadena Police Department has policies in place which were established in-part as an equitable and uniform procedure for dealing with personnel matters. RCS Investigators reviewed and considered the following South Pasadena Police Department policy sections as part of the work product of this investigation:

South Pasadena Police Department Policy Section 705.02 (e) — They with intent to deceive or misrepresent, omit relevant facts or otherwise falsify information, testimony, or evidence which they provide in their official capacity.

South Pasadena Police Department Policy Section 705.04 is prefaced with the following statement, "Peace officers will so conduct their public and private life that they exemplify the high standards of integrity, trust and morality demanded of a member of the peace officer profession.

South Pasadena Police Department Policy Section 705.04 (e) — They engage in conduct in their personal or business affairs which adversely affects their performance, or brings discredit to the peace officer profession or the South Pasadena Police Department.

South Pasadena Police Department Policy Section 705.04 (j) - They engage in any activity which constitutes a conflict of interest or is in violation of any law.

South Pasadena Police Department Policy Section 705.04 (k) — They conduct themselves, either on or off duty, in such a manner as to adversely reflect on the profession or the South Pasadena Police Department. Prohibited conduct shall include that which brings discredit upon the profession or the South Pasadena Police Department or that which tends to impair their efficiency or the operation and/or efficiency of the South Pasadena Police Department.

Copies of the applicable South Pasadena Police Department Policies are included as Exhibit "A" in this report.

RCS Investigators reviewed a document titled "South Pasadena Police Officers Association Bylaws of the Association." The following information was contained within the bylaws of the association:

Article IV Section 4 - Expenditures of the association not previously approved and ratified in the annual budget, and exceeding the amount of five hundred dollars (\$500.00) shall require the approval by the majority vote of the membership.

Copies of South Pasadena Police Association Articles I-V are included as Exhibit "B" in this report.

RCS Investigators reviewed relevant California Penal Code which contained the following verbatim information:

California Penal Code Section 27545 - Where neither party to the transaction holds a dealer's license issued pursuant to Sections 26700 to 26915, inclusive, the parties to the transaction shall complete the sale, loan, or transfer of that firearm through a licensed firearms dealer pursuant to Chapter 5 (commencing with Section 28050.)

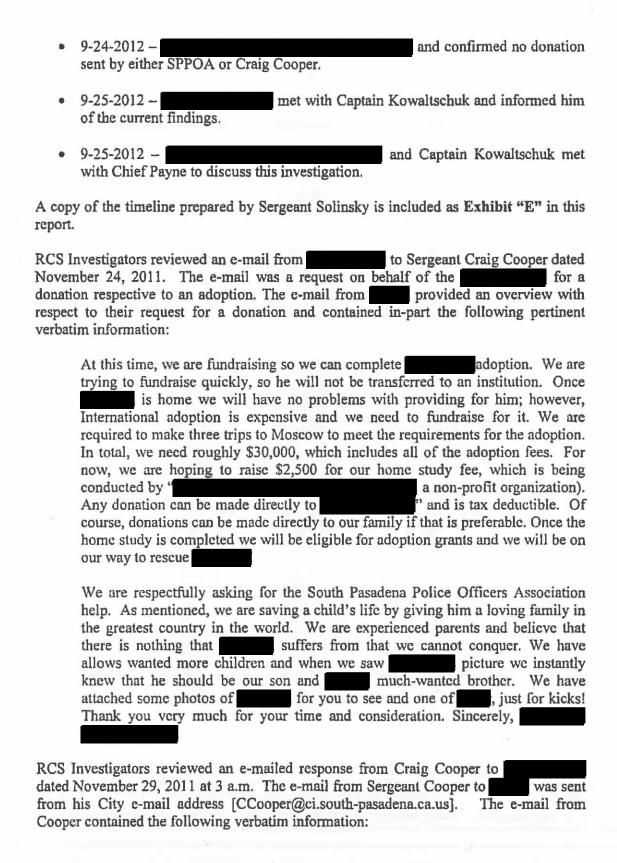
California Penal Code Section 27590 (c) – If any of the following circumstances apply, a violation of this article shall be punishable by imprisonment in a county jail not exceeding one year or pursuant to subdivision (h) of Section 1170, or by a fine not to exceed one thousand dollars (1,000) or by both that fine and imprisonment.

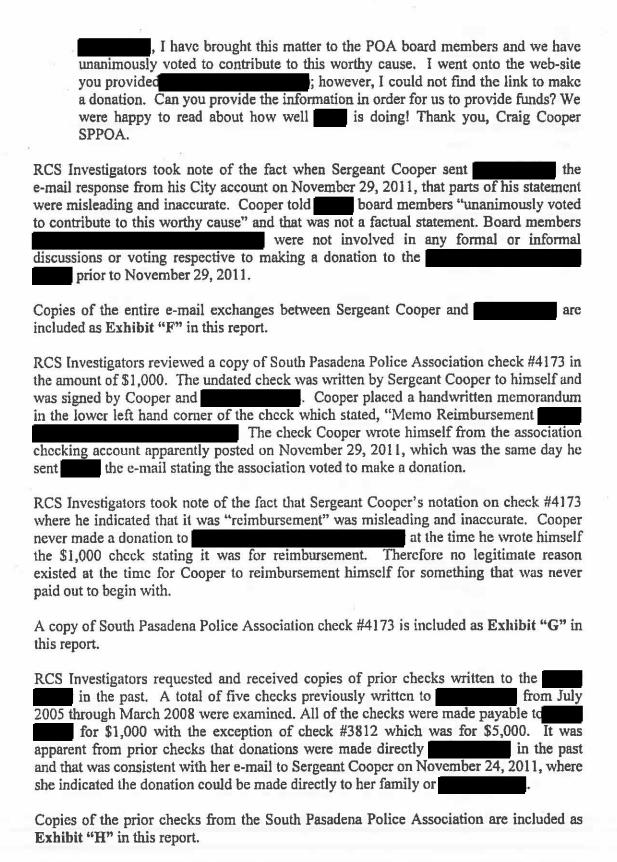
California Penal Code Sections 27590 (c) (5) - A violation of Section 27545 involving a handgun.

California Penal Code Section 504 – Every officer of this state, or of any county, city, city and county, or other municipal corporation or subdivision thereof, and every deputy, clerk, or servant of that officer and every officer, director, trustee, clerk, servant, or agent of any association, society, or corporation (public or private) who fraudulently appropriates to any use or purpose not in the due and lawful execution of that persons trust, any property in his or her possession or under his or her control by virtue of that trust, or secretes it with a fraudulent intent to appropriate it to that use or purpose is guilty of embezzlement.

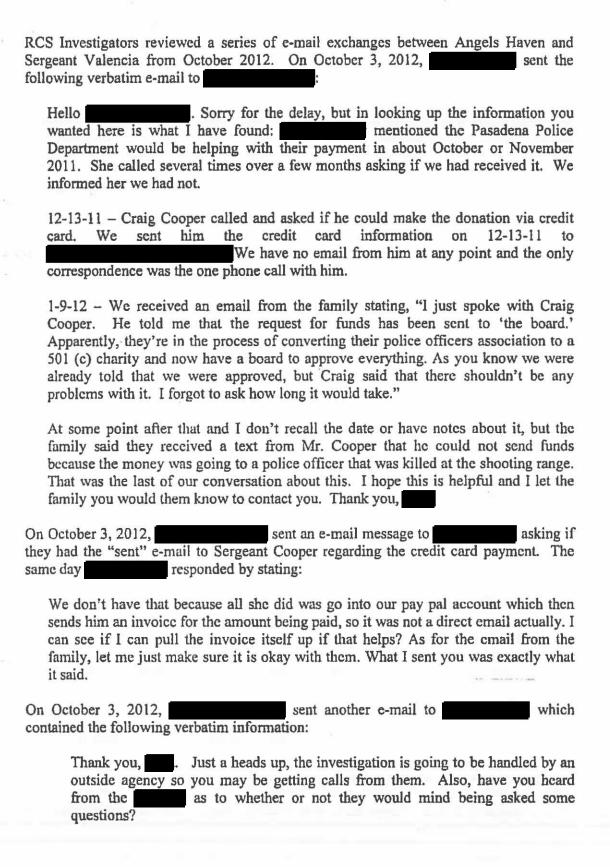
Copies of the pertinent California Penal Code Sections are included as Exhibit "C" in the report.

During his administrative interview with RCS Investigators, Sergeant Cooper acknowledged that he received a Kimber firearm from his ex-wife as a gift approximately one year before he sold the weapon to the South Pasadena Police Association in 2011 for \$1,000. Cooper also acknowledged that he maintained control of the Kimber firearm until it was raffled off at a December 2011 South Pasadena Police Association Christmas party and relinquished to		
RCS Investigators reviewed a receipt for a Kimber Tactical Custom II .45 ACP handgun [serial #K317295] from Turner's Outdoorsman which was dated December 18, 2010. The purchaser was listed as and the price was \$1,129.98 before taxes. Also reviewed was the California Department of Justice "DROS" printout which listed the purchaser as in Moreno Valley.		
A copy of the sales receipt and the Department of Justice "DROS" printout are included as Exhibit "D" in this report.		
RCS Investigators reviewed a document which was time stamped as being received by the Chief's Office on September 25, 2012. The document was prepared by and serves only to demonstrate a timeline with respect to the series of events that occurred from November 29, 2011 through September 25, 2012. The following verbatim information was contained in timeline:		
	11-29-2011- Check #4173 written by and to Craig Cooper, posted to POA account for \$1,000.	
•	12-15-2011 - POA Christmas part where Kimber .45 cal. firearm is won by	
	1-9-2012 - Email sent from Craig Cooper to containing itemized list of expenditures for the POA Christmas party including the Kimber .45 cal. for \$1,000.	
	1-9-2012 - receives a text message from Craig Cooper indicating the POA will not be donating money as SPPD experienced a line-of-duty death.	
	9-21-2012 – is directed by Captain Kowaltschuk to check into possible misconduct.	
•	9-21-2012 - Sergeant Solinsky spoke with	
•	9-23-2012 – spoke with indicated he received information from that needed to sell his firearm to purchase a Rolex watch.	





January 9, 2012, and titled, "POA Xmas party itemized expenditure list." The e-mail was sent to in his capacity as the police association treasurer and contained in-part the following verbatim information:
 \$810.00 Sony Family Center 46 inch TV. \$1,000 Kimber 45 cal. handgun (Craig Cooper)* \$250.00 The Flame Broiler (10 \$25 gift cards)* \$85.91 G-shock wristwatch Vana Watch & Jewelry (Craig Cooper)* \$500.00 DJ services (Craig Cooper)* \$3,000.00 Mijares Mexican Restaurant \$250.00 Move tickets
Total \$5,895.91 *Initial purchase using personal funds and reimbursed by POA (by check).
RCS Investigators took note of the fact that Craig Cooper indicated by way of an asterisk the Kimber handgun was purchased using personal funds and it was reimbursed by POA check. That notation by Cooper confused because while he was aware a Kimber firearm had been raffled off at the 2011 Christmas party he had not seen a check posted to the association account for that particular expense. Cooper's e-mail prompted to contact him in order to obtain an explanation.
was subsequently told by Sergeant Cooper the \$1,000 check he wrote himself back in November 2011 for reimbursement was ultimately used to pay for the Kimber firearm and the transaction was a "wash", requiring no further payments. At the time spoke to Cooper about those events, he was also told that Cooper previously sent a personal check which was returned and that was the reason he initially wrote himself a check from the association account.
RCS Investigators noted that Sergeant Cooper's statement regarding the initial purchase of the Kimber firearm from personal funds to be somewhat misleading. Although the Kimber firearm was originally purchased by Cooper's ex-wife most likely using personal funds, it was not Cooper who purchased it from his personal funds. The Kimber firearm was given to Cooper as a gift approximately one year prior.
Additionally, RCS Investigators noted the second part of Sergeant Cooper's statement regarding the Kimber firearm being reimbursed by POA funds was also misleading. The South Pasadena Police Association never issued Cooper a check specifically for the purchase of the Kimber firearm and he chose instead to pay himself for the gun using association funds which he previously said was reimbursement for
A copy of the e-mail from Sergeant Cooper to is included as Exhibit "I" in this report.



Yesterday, I went to the address we have on record for them and left my card, but I haven't heard from them. Thanks again for your help, Detective Sergeant Jim Valencia.

Copies of the e-mail exchanges are included as Exhibit "J" in this report.

RCS Investigators reviewed an e-mail from to Sergeant Moore of the Los Angeles County Sheriff's Department dated November 15, 2012. The e-mail contained the following verbatim information:

Hello Officer Moore, here is some info for you. The e-mail you wanted is difficult because all as we did was e-mail an invoice from our pay-pal account. I'm attaching it for you here and have crossed out the family name due to confidentiality, but this was what [was] through the pay-pal account. [An invoice dated December 13, 2011 to Craig Cooper at for \$1,000 was attached.]

Info: Family mentioned the Pasadena Police Department would be helping with their payment in about October or November 2011. She called several times over a few months asking if we had received it. We informed her we had not. 12-13-11 - Craig Cooper called and asked if he could make the donation via credit card. We sent him the credit card information on 12-13-11 to email from him at any point and the only correspondence was the one phone call with him. 1-9-12 - We received an email from the family stating, "I just spoke with Craig Cooper. He told me that the request for funds has been sent to 'the board.' Apparently, they're in the process of converting their police officers association to a 501 (c) charity and now have a board to approve everything. As you know we were already told that we were approved, but Craig said that there shouldn't be any problems with it. I forgot to ask how long it would take." At some point after that and I don't recall the date or have notes about it, but the family said they received a text from Mr. Cooper that he could not send funds because the money was going to a police officer that was killed at the shooting range. I hope this is helpful, Angels haven.

A copy of the e-mail is included as Exhibit "K" in this report.

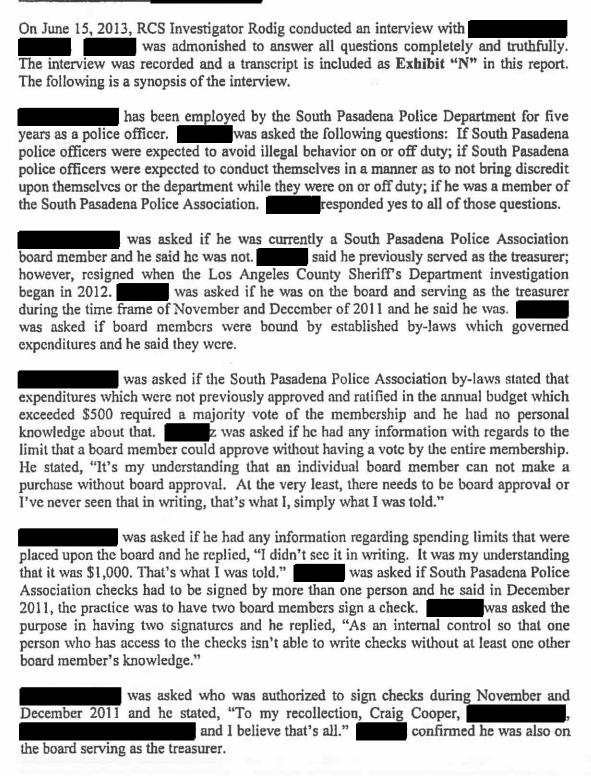
RCS Investigators reviewed a series of handwritten notes from respective to his involvement in the matter beginning September 25, 2012. The notes were included for informational purposes only.

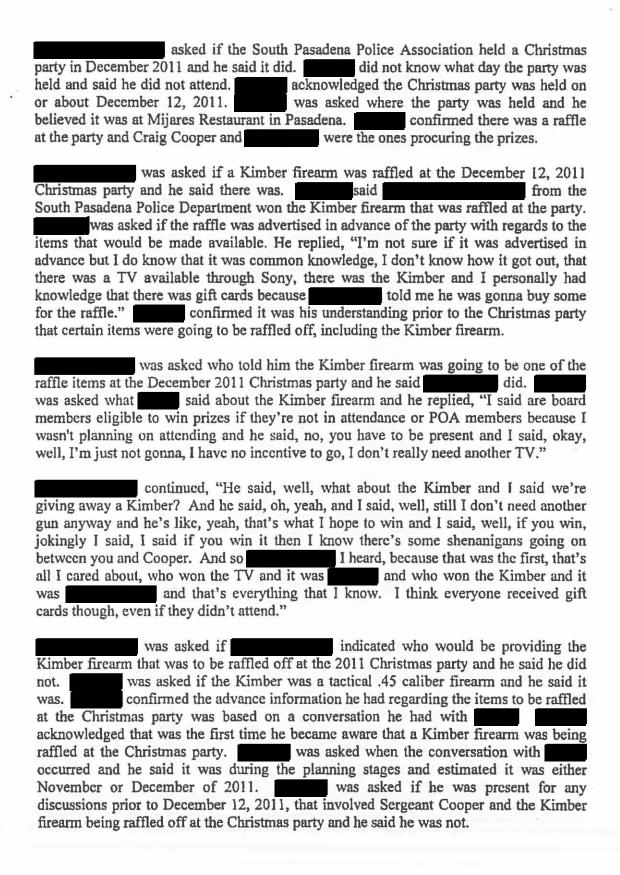
The notes from are included as Exhibit "L" in this report.

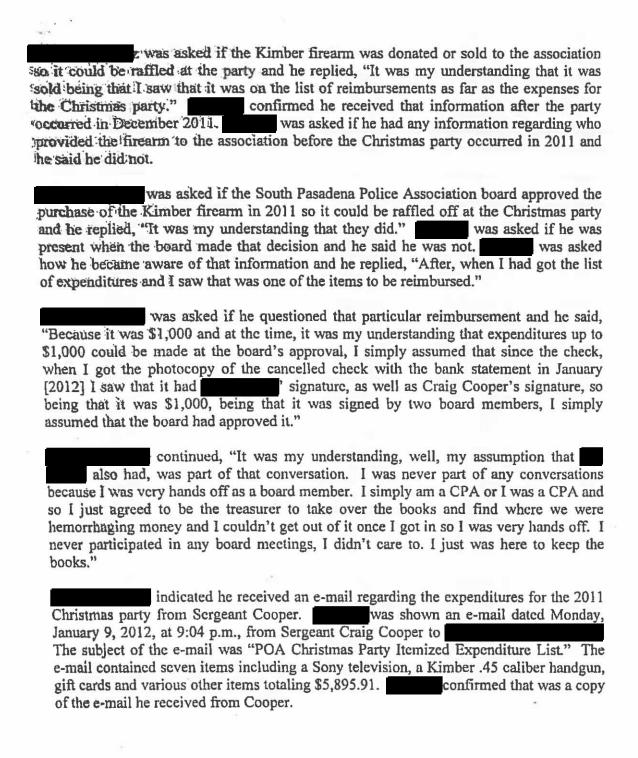
RCS Investigators reviewed an e-mail from Captain Kowaltschuk to Chief Payne dated September 25, 2012, which stated, "Chief, I have to inform you of something [that] has been brought to my attention and I need to talk to you when you get in."

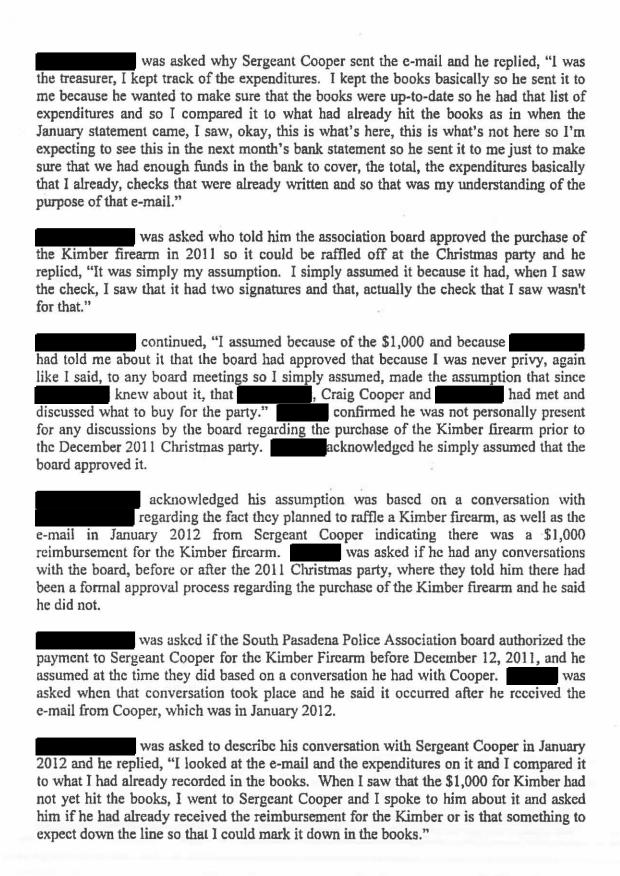
A copy of the e-mail is included as Exhibit "M" in this report.

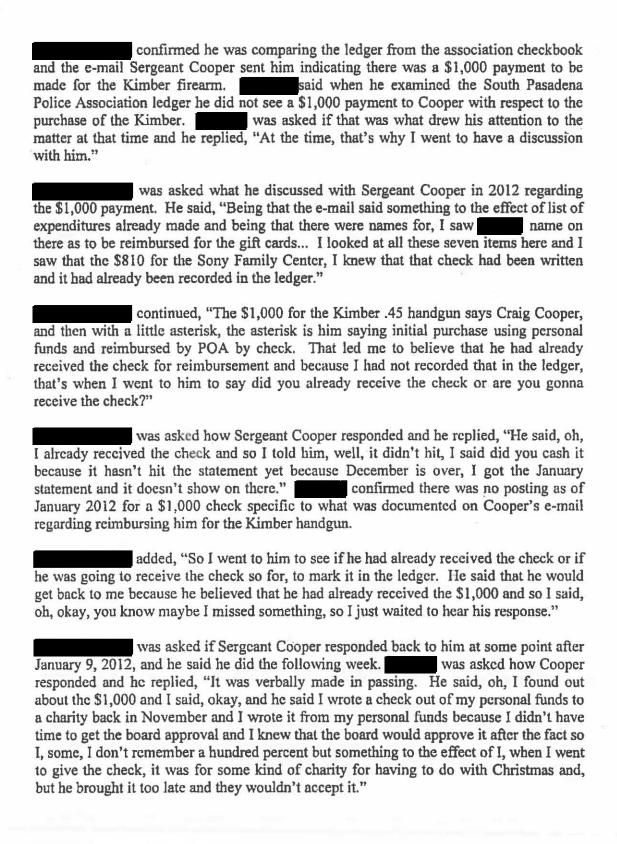
Interview of Officer

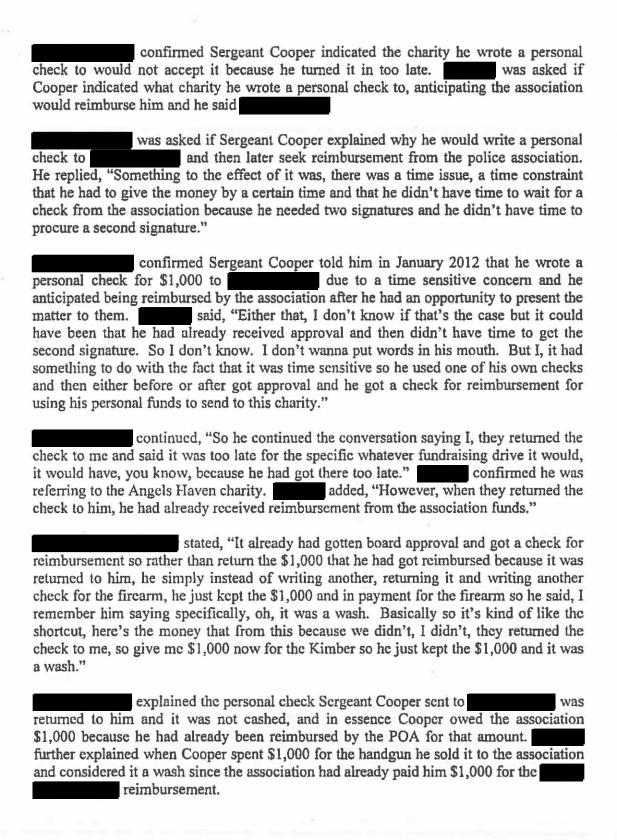


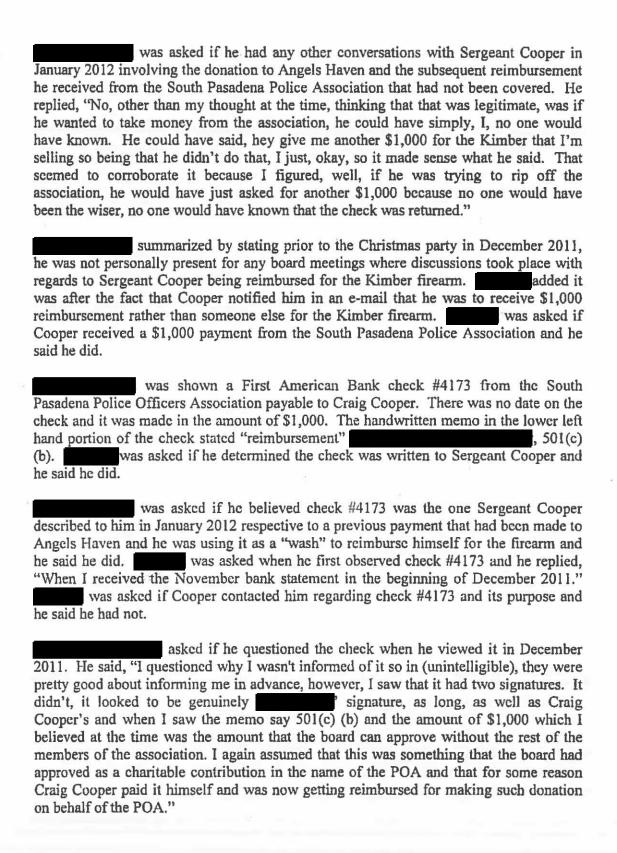


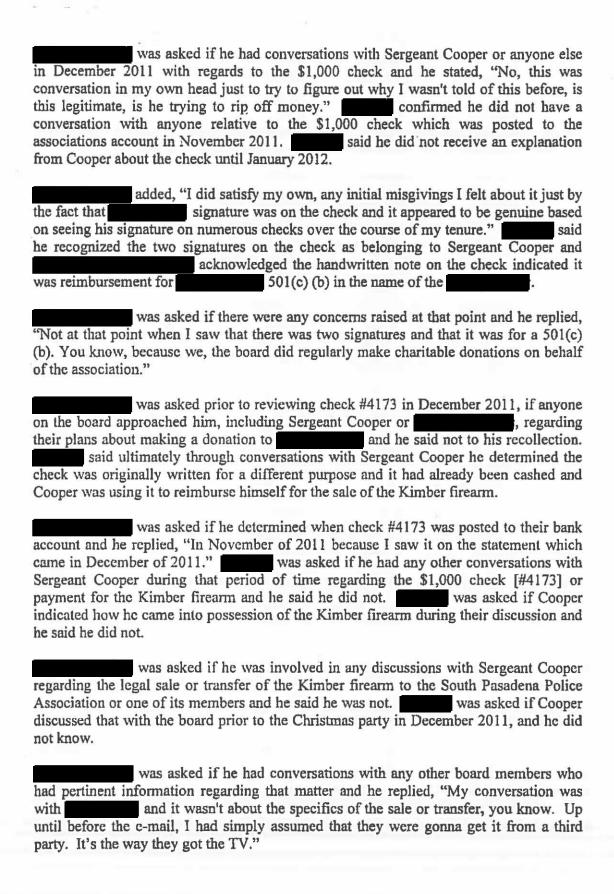


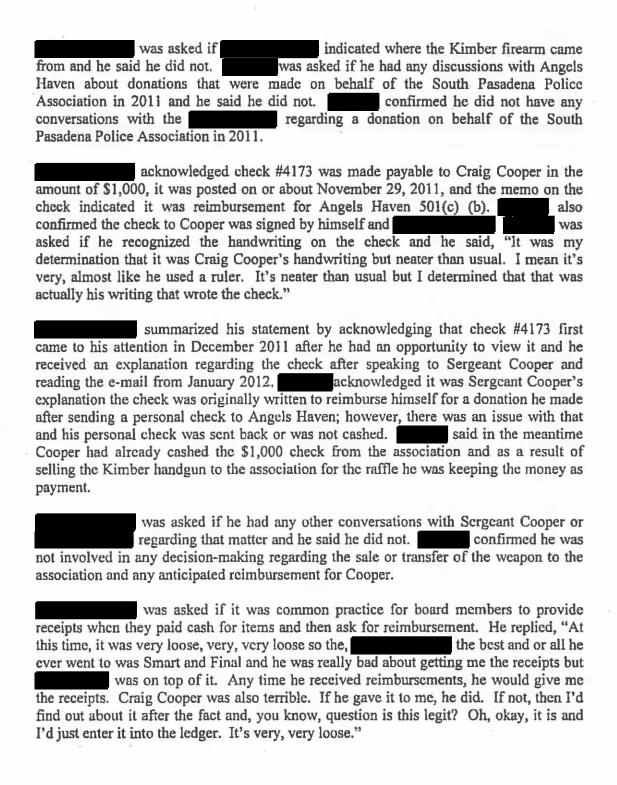




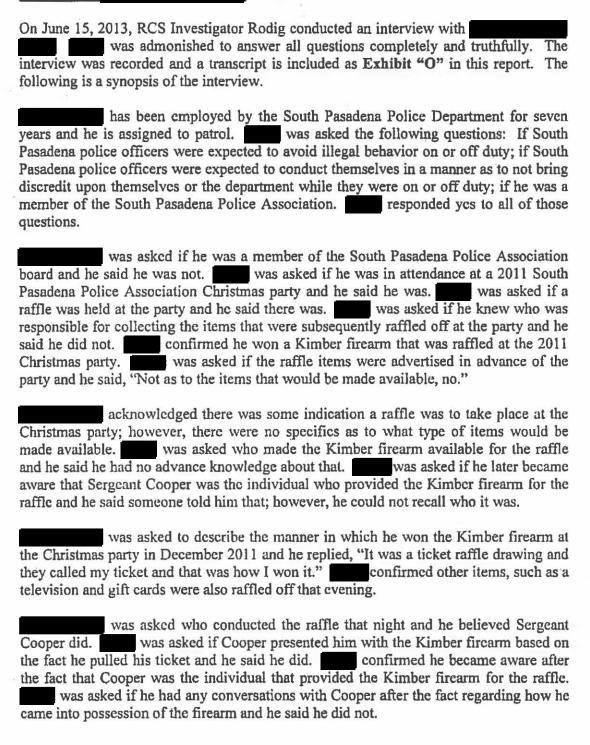


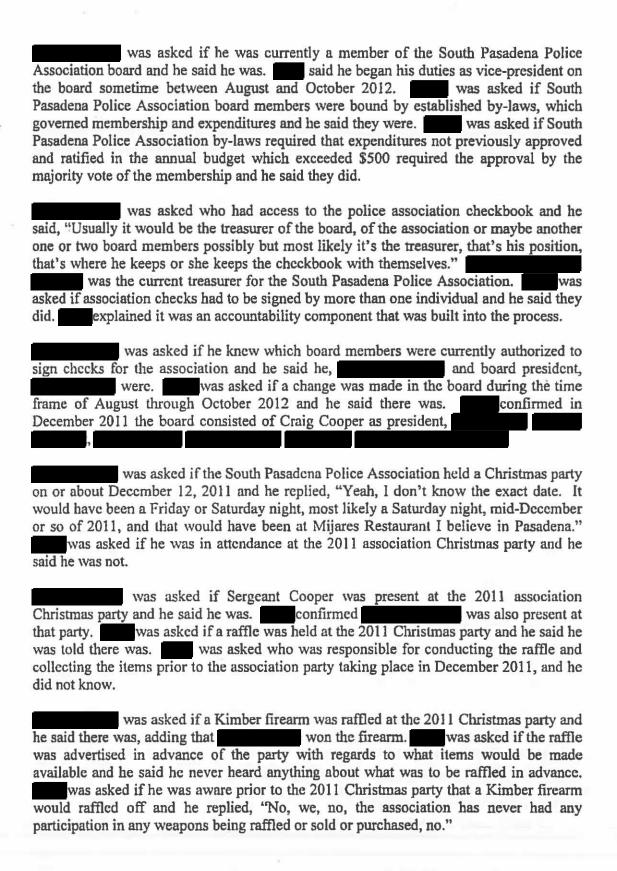


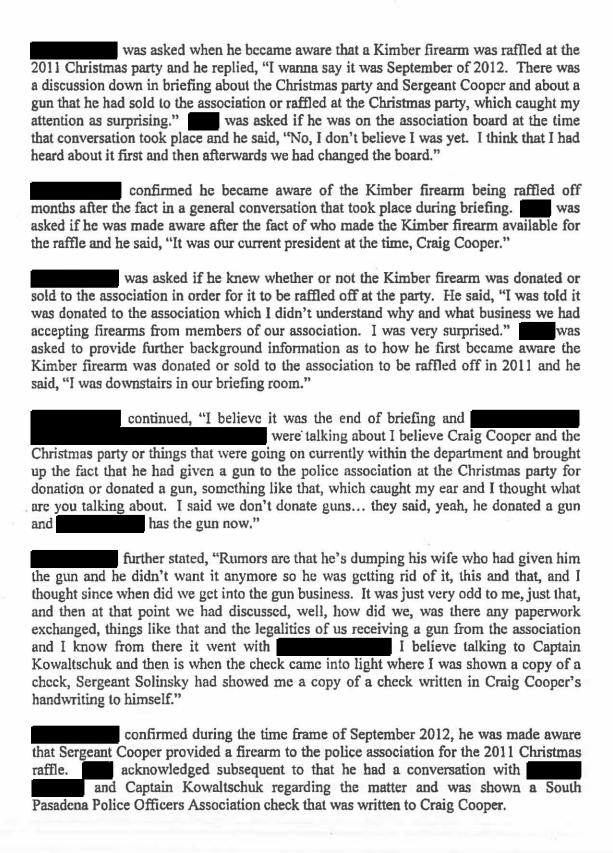


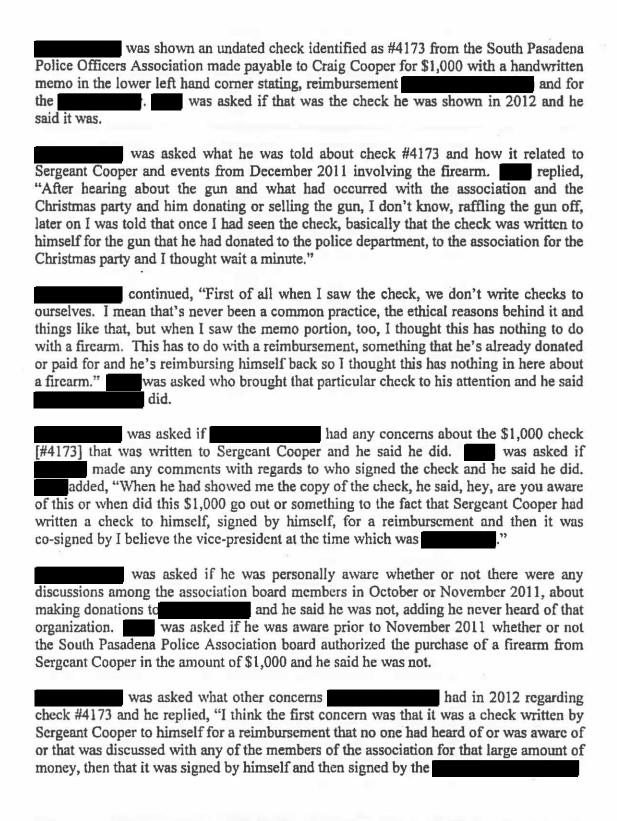


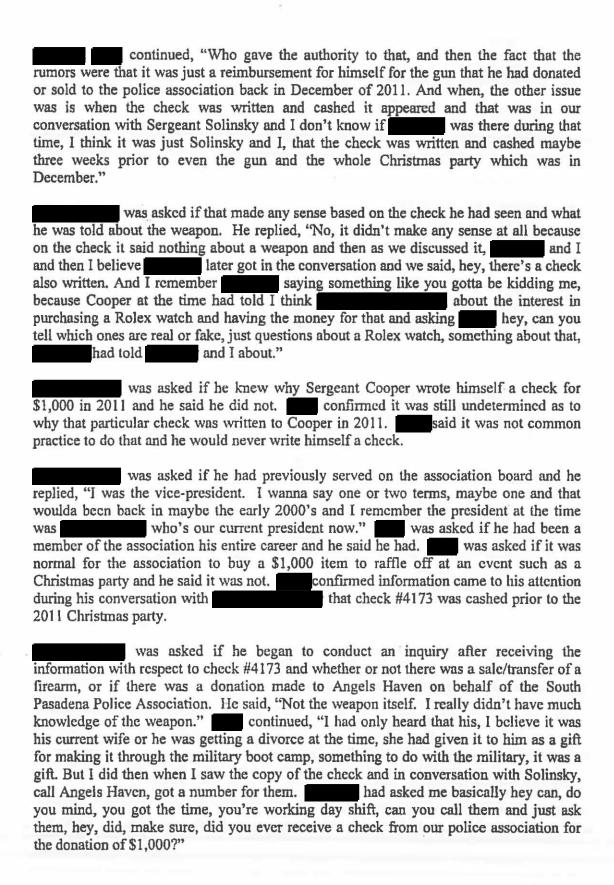
Interview of

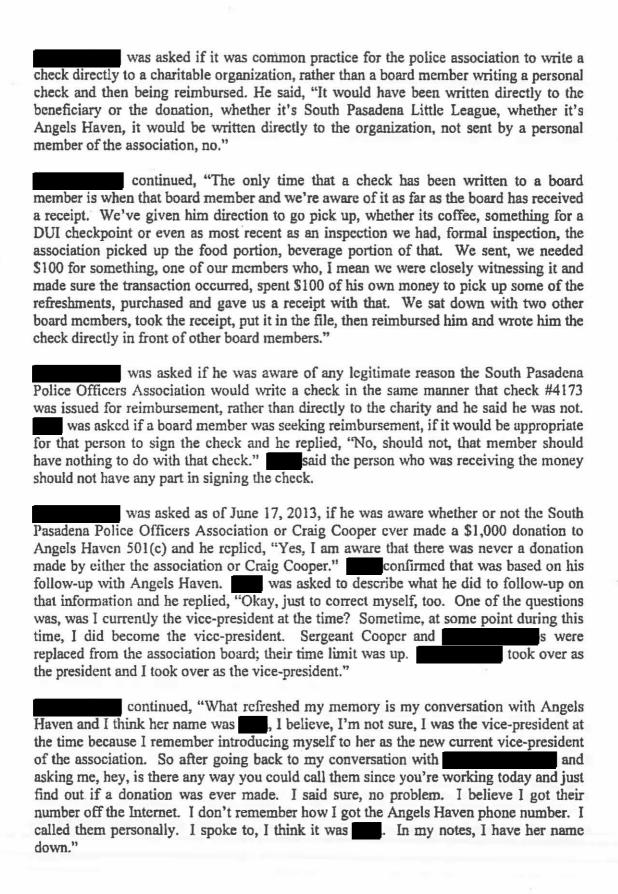


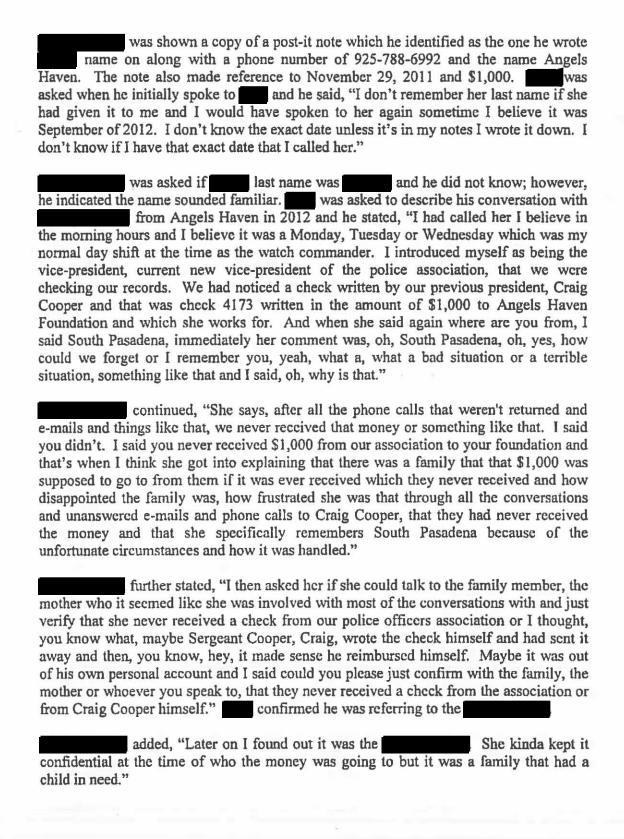


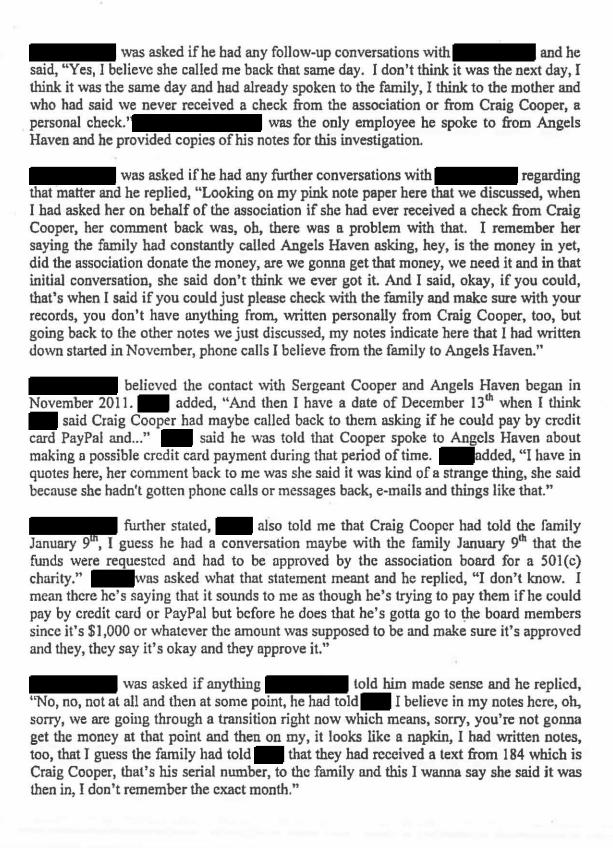


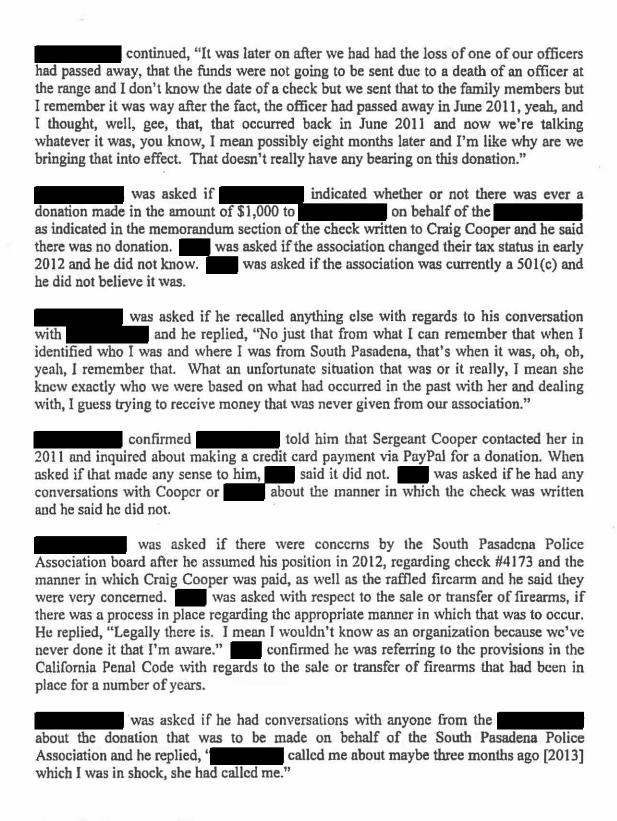


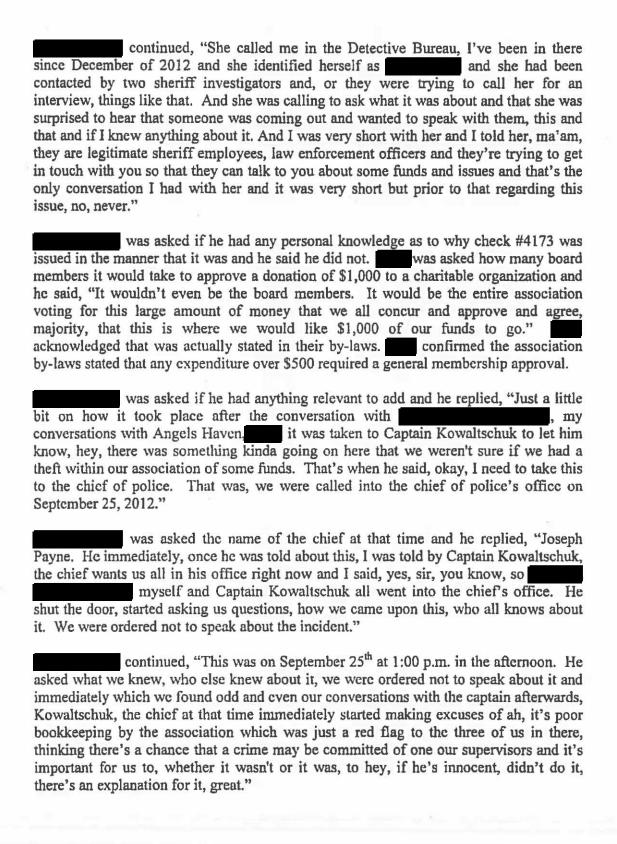




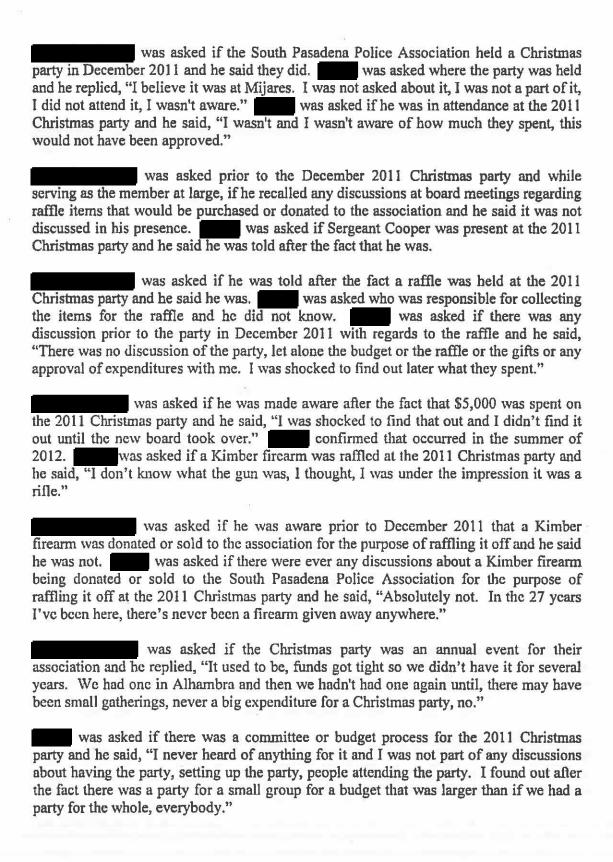


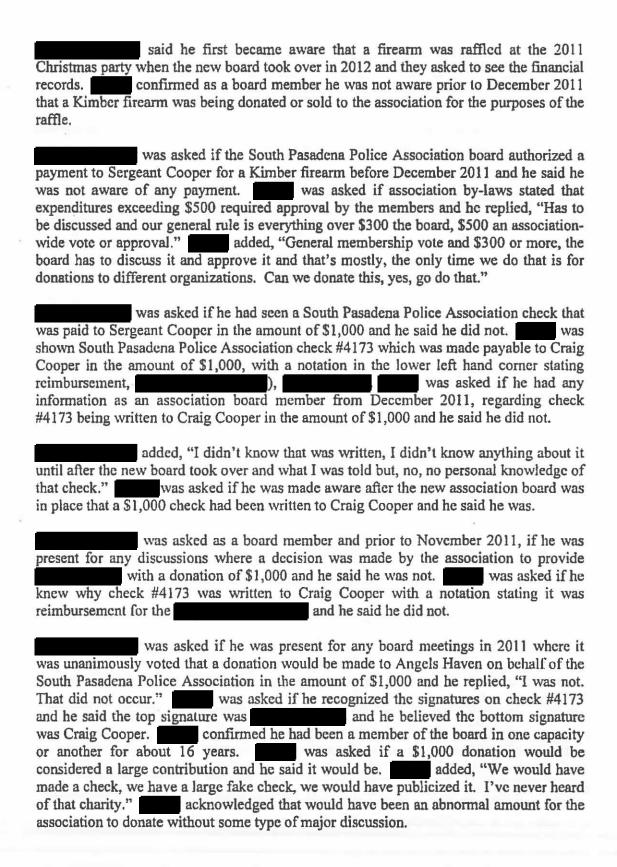




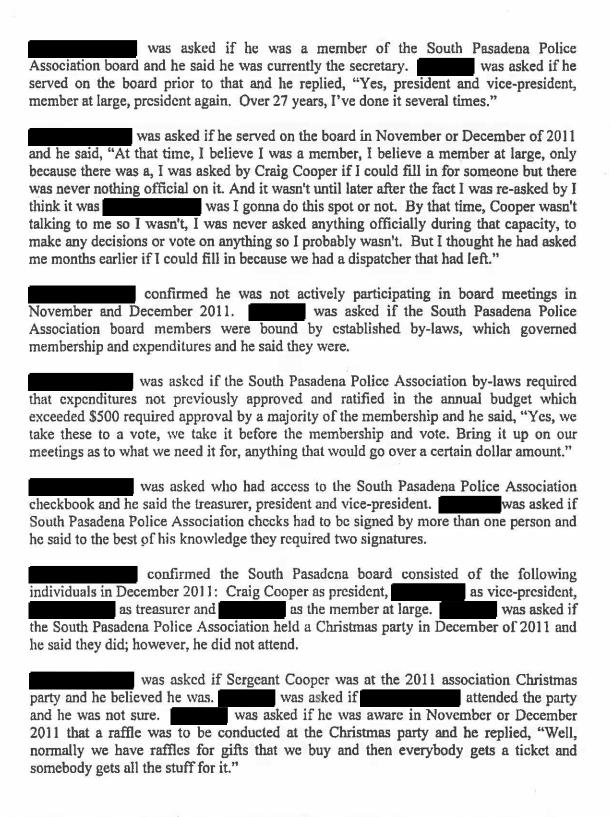


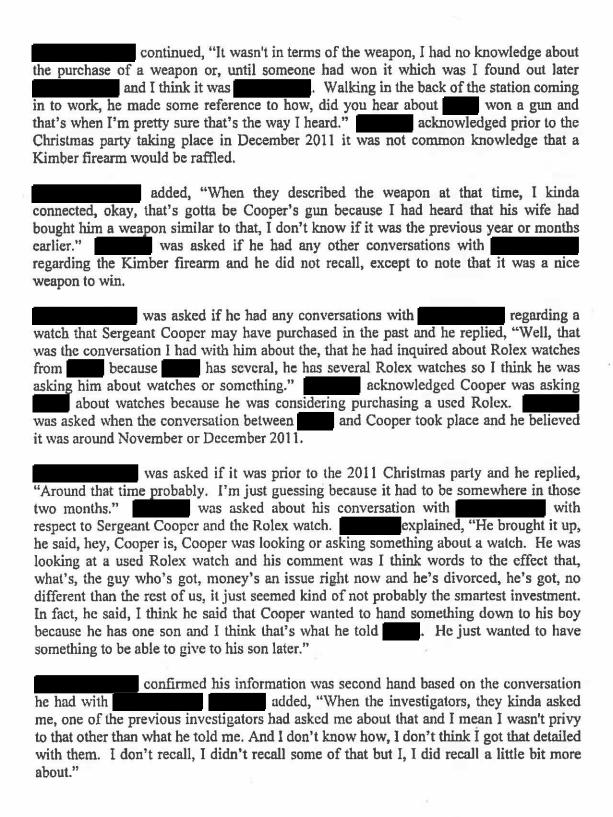
continued, "That's even better for us as a department and one of our supervisors but it was just odd that the chief at that time immediately starting making excuses for what we had just told him and you know with the sloppy bookkeeping and, well, you know what it's reimbursement for the gun. I mean he specifically talked about the poor bookkeeping by the association that Cooper was being refunded for the gun by raffle tickets." acknowledged he was referring to the \$1,000 check and added, "The chief was more concerned about over all how many members of the association knowing about what went on rather than the incident itself which we found very odd so. I think that was it."
Interview of
On June 17, 2013, RCS Investigators Rodig and Wuest conducted an interview with was admonished to answer all questions completely and truthfully. The interview was recorded and a transcript is included as Exhibit "Q" in this report. The following is a synopsis of the interview.
has been employed by the South Pasadena Police Department for 27 years and is he currently assigned to the Detective Bureau. was asked the following questions: If South Pasadena police officers were expected to avoid illegal behavior on or off duty; if South Pasadena police officers were expected to conduct themselves in a manner as to not bring discredit upon themselves or the department whether on or off duty; if he was a member of the South Pasadena Police Association. responded yes to all of those questions.
was asked if he was a current or past board member for the South Pasadena Police Association and he replied, "Both, currently the member at large. I have been the treasurer, the vice-president and most of I was the treasurer until just before this incident happened."
was asked his position on the association board during November and December 2011 and he believed he was a member at large. was asked if South Pasadena Police Association by-laws required that expenditures not previously approved and ratified in the annual budget which exceeded \$500 required the approval by the majority vote of the membership and he said they did.
was asked who had access to the South Pasadena Police Association checkbook and he said during the timeframe of December 2011, did. was asked if South Pasadena Police Association checks needed to be signed by more than one individual and he said they did. explained the purpose in doing that was to stop fraudulent behavior. said in December 2011 the board members consisted of President Craig Cooper, and himself as the member at large.

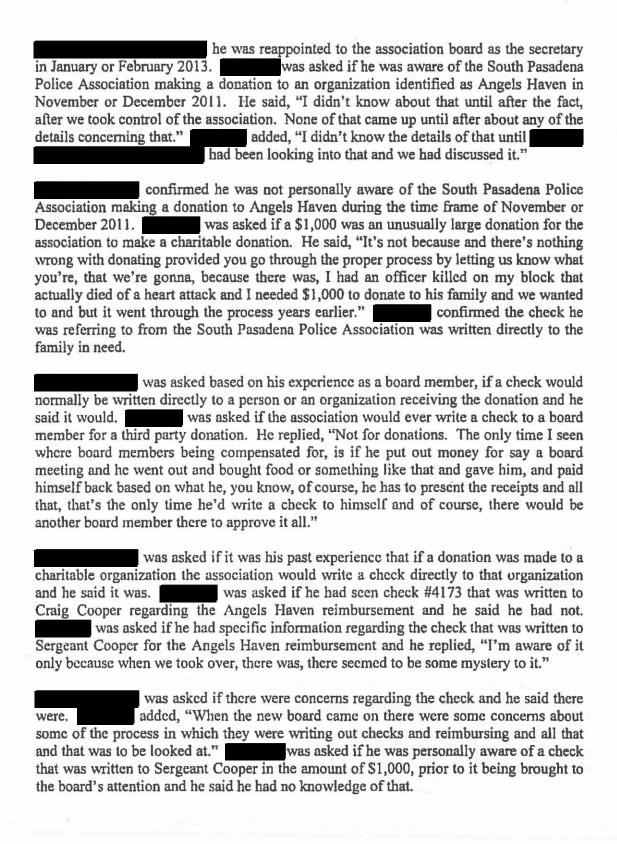


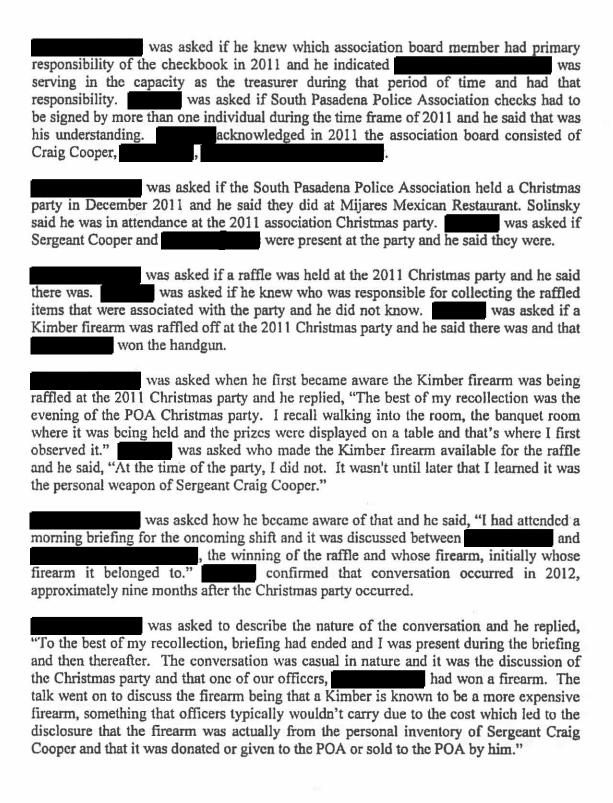


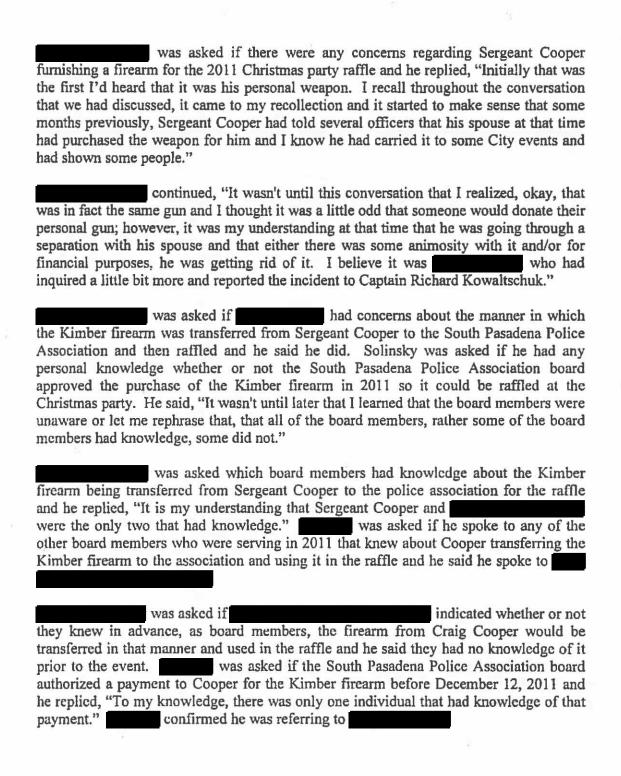
was asked if he was a member of the South Pasadena Police Association board and he said he was not. was asked if he attended the 2011 association Christmas party and he said he did not. was asked if he was contacted by anyone prior to December of 2011 regarding the raffle that was to be conducted at the Christmas party and he said he was not.
was asked if he had any discussions with Sergeant Cooper regarding a watch that he was purchasing for himself and he replied, "Not that he was purchasing. It was already purchased." was asked to describe the conversation and he said, "I don't remember the time frame that it took place. It would have been here at the station because we didn't, don't really associate off-duty."
continued, "I had heard that he had purchased a Rolex, a used Rolex so I congratulated him. I received one when I graduated from school that my parents bought me so I kinda congratulated him and said, hey, you know welcome to the club. It's nice, you know is it nice and what kind was it but that was it." was asked how Sergeant Cooper responded and he said, "He acknowledged and said thank you, I believe." was asked if Cooper indicated what type of Rolex watch it was and he said, "I think I might have asked him what kind. I wanna say it was a Rolex Datejust. Datejust is the model. It's usually like a two-tone stainless steel, gold bracelet."
believed his conversation with Sergeant Cooper took place shortly after he obtained the watch; however, he could not recall when that occurred. confirmed that Cooper acknowledged he had a Rolex watch. was asked who originally told him about the Rolex watch and he did not recall. was asked if he had any other conversations with Cooper where he indicated how much he paid for the Rolex or how he obtained it and he replied, "I don't think I asked him how much he paid." was asked if he ever saw the Rolex watch and he did not believe so. said Cooper did not provide him with any specific information regarding the Rolex watch.
Interview of
On June 17, 2013, RCS Investigators Rodig and Wuest conducted an interview with was admonished to answer all questions completely and truthfully. The interview was recorded and a transcript is included as Exhibit "S" in this report. The following is a synopsis of the interview.
has been employed by the South Pasadena Police Department for 26 years as a police officer and prior to that he was a reserve for two years. was asked the following questions: If South Pasadena police officers were expected to avoid illegal behavior on or off duty; if South Pasadena police officers were expected to conduct themselves in a manner as to not bring discredit upon themselves or the department whether on or off duty; if he was a member of the South Pasadena Police Association.

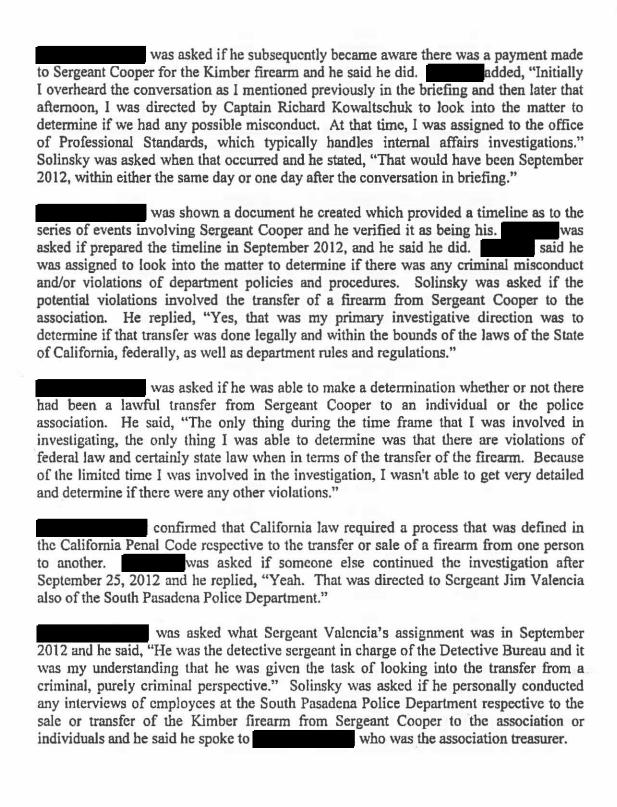


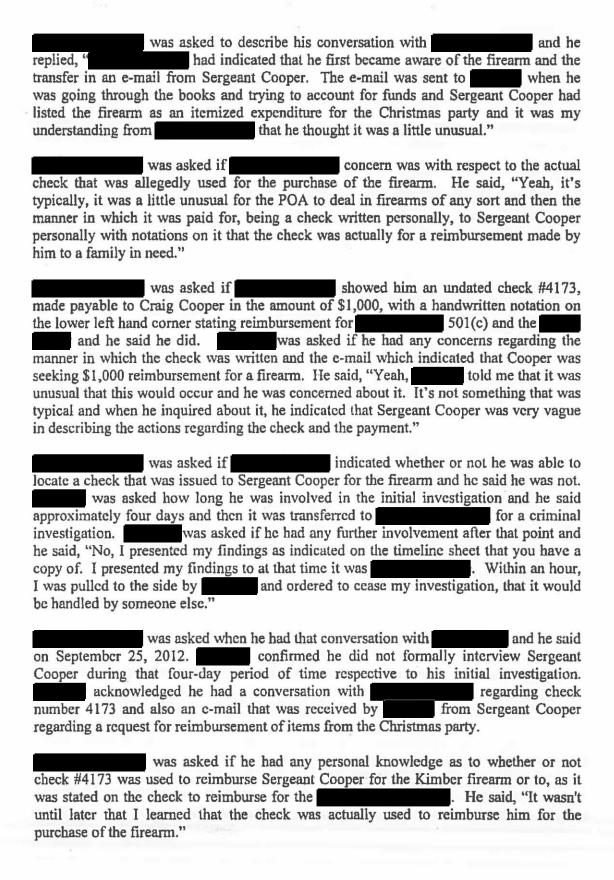




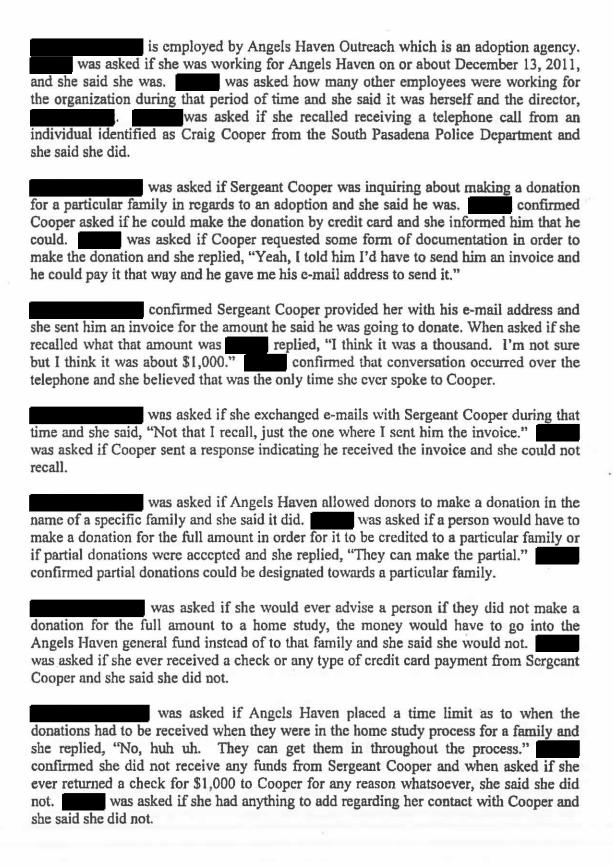








was asked if he knew why check #4173 was written to Sergeant Cooper in the amount of \$1,000 with a notation that stated it was for 501 (c) reimbursement. He replied, "Again, it was later that I learned that the donation to was never made. There was some discussion that Sergeant Cooper had contacted and indicated he would not be able to make the donation to them as they needed more money from the POA and the POA wasn't able to fund that, however, it's my understanding that no funds were actually donated to them period."
was asked during his initial investigation, if he spoke to anyone involved with the South Pasadena Police Association board that had knowledge regarding a \$1,000 reimbursement to in November of 2011 and he said he did not.
was asked if a donation was made by the association to a member of the community or to a charity, if the check would normally be written directly to the person/charity, or if there was a past practice where the check was written to a board member explained, "No, as a board member, as a POA member, typically what happens is any time there's a donation made, the check is made directly to the organization and it's signed by the board members themselves. I will say that there are occasions when checks may be written to board members for reimbursement. Typically, those are small cost items such as sandwiches for a POA meeting, things that are under \$100 in nature."
was asked if he had ever seen a check written in that manner before, where it was made out to the association president rather than directly to the charity and he said he never witnessed that. It is a said he did not have any personal knowledge as to why Sergeant Cooper was issued check #4173 in that particular format.
was asked if he personally had any discussions with Angels Haven about a donation on behalf of the South Pasadena Police Association that may have taken place back in 2011 and he said he did not. was asked if he had any discussions with any member of the about a donation on behalf of the South Pasadena Police Association that may have taken place back in 2011 and he said he did not. was asked if he had any conversations with during that period of time regarding check #4173 and he said he did not.
Interview of
On August 21, 2013, Investigator Wuest conducted a telephone interview with The interview was recorded and a transcript is included as Exhibit "U" in this report. The following is a synopsis of the interview.



Interview of On August 21, 2013, Investigator Wuest conducted a telephone interview with . The interview was recorded and a transcript is included as Exhibit "U" in this report. The following is a synopsis of the interview. is employed by Angels Haven Outreach adoption agency as the Executive was asked if she was working at Angels Haven on or about December Director. was asked who else was working at Angels 13, 2011 and she said she was. Haven at that time and she said also worked in the office. confirmed she and were the two primary employees that would answer phones at the organization. was asked if she personally received a telephone call from Sergeant Craig Cooper from the South Pasadena Police Department and she said, "No, I don't think I ever spoke with him that I recall. I think it was only made her aware of a conversation she had with Cooper and she said she did. was asked what told her about the conversation and she replied, "It's been a while but I do recall her speaking with him because I was there but I do recall that he was going to make a donation on behalf of the police department for one of our families doing an adoption and asked how, how he could, how he could pay it. I think he asked if we could send him an invoice and gave us his e-mail and then that's what we did but I think the family tried to contact him because we never got, we never got the funds but, yes, he made the call asking how to give us the funds." confirmed spoke to Sergeant Cooper on the telephone. was asked if Angels Haven allowed persons to designate their donations to a particular family and she replied, "It just depends on each situation. He was making a donation, which we would have put specifically towards home study fees of this particular family." was asked if it was possible to make partial donations towards a family's home study and she replied, "Yeah, we get donations all the time in all different amounts that, that we accept and you know, that go for random different things so anybody can make a donation for any amount of money." was asked if she would ever tell a person if they could not donate the full

was asked if she would ever tell a person if they could not donate the full amount of money for a home study, their donation would have to go into the general fund as opposed to that particular family and she said they would never tell anyone that.

was asked if she would tell a donor their money could not be designated for a particular family and she said, "I guess potentially, I guess, you know, I'm not really sure how to answer that question because every situation is a little bit different so I, you know, I guess I really can't answer that question... It sort of goes in the general fund and then we can put the money where we want you know, the money to go to any particular situation."

was asked if her agency received a check for \$1,000 from Sergeant Cooper at any point in time and she said it did not. Was asked if Angels Haven placed time limits on receiving donations from individuals and she said it did not. Was asked if her agency ever returned a check for \$1,000 to Cooper and she said it did not.

Was asked if she had anything to add regarding communications with Sergeant Cooper from the South Pasadena Police Department. She said, "No, it was, there was little contact, there was little contact. I think it was the family that was in contact, not us really except for the one call so I guess it was just all kind of a strange situation which we still don't really understand but, no, there was very little contact and it

was a long time ago so I don't know that we can remember all the pieces. I had sent over everything I knew and recalled to the police department long ago so from memory, that

was asked if Sergeant Cooper wanted to donate \$1,000 towards a particular family's home study, if she would tell him she would not accept the money for the study and she replied, "He wanted to make a donation of \$1,000 and we said we would take the donation of \$1,000... He did ask to put it; he did ask us about donating towards a particular family, yes." was asked if she would have honored that request if Cooper had sent the \$1,000 and she replied, "Well, it's a donation which goes into the general fund so we then, you know, designate it to wherever we feel it needs to be designated to. Might we designate it to that family? Yes, we may but he, he did call in particular about this family."

Interview of Chief Joseph Payne

they should have but I really can't recall anything else."

On September 4, 2013, Investigator Rodig conducted an interview with Chief Joseph Payne. The interview was recorded and a transcript is included as **Exhibit** "V" in this report. The following is a synopsis of the interview.

Chief Payne was asked how long he was employed by the South Pasadena Police Department prior to retiring as the police chief and he said 37 years. Payne said he was appointed as the police chief in Scptember 2010 and retired February 2013. Payne was asked if he was a member of the South Pasadena Police Association in November 2011, while he served as the chief and he said he was not. Payne was asked if he participated as a board member during his employment at the department prior to serving as chief and he said he did.

Chief Payne was asked when that occurred and he replied, "Well, there were, there were multiple times and I couldn't give you a timeline on that but I served as president and vice-president and member at large probably three or four different times over my career." Payne was asked if information was brought to his attention regarding Sergeant Cooper and allegations of possible misconduct as it related to the expenditure of South Pasadena Police Association funds and/or the sale or transfer of a personal firearm in 2011 while he was serving as the chief of police.

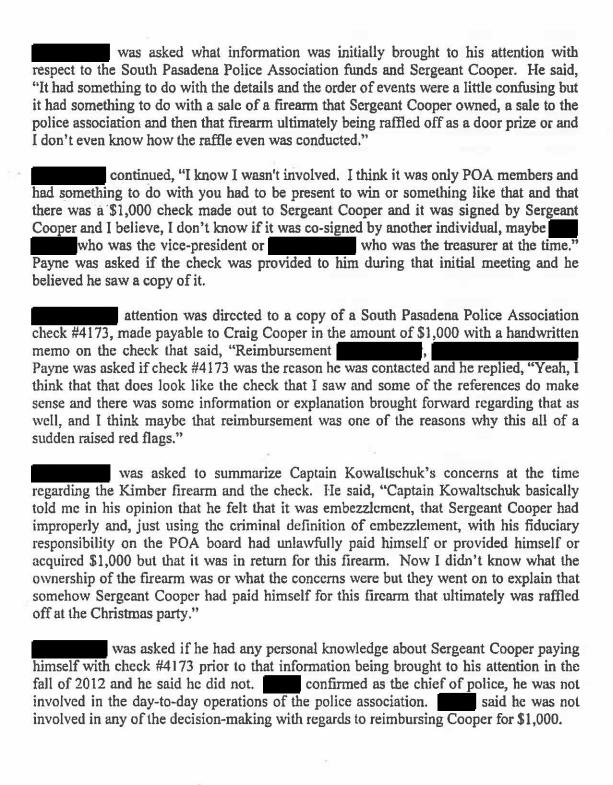
Chief Payne replied, "Yes, but I'll qualify that answer by saying that initially, the matter was brought to me as a criminal allegation and I'll separate misconduct from criminal allegation because misconduct could be considered an administrative duty or, and this was, this was not looked at initially by me as an administrative matter but as a criminal matter based on the allegations that were brought to me."

Chief Payne was asked to provide a timeline of events that related to information that was brought to his attention regarding Sergeant Cooper. He said, "I wanna say that this would have been the fall of 2012." Payne was advised as a point of reference the sale or transfer of the Kimber firearm took place during an association Christmas in December 2011. Payne replied, "That provides a point of context, yes, and honestly the Christmas party and the raffle again meant nothing to me when it happened back then."

Chief Payne was asked if he had any knowledge with respect to the sale or transfer of a Kimber firearm before the Christmas association party took place in December 2011 and he said he did not. Payne was asked if he received information at some point regarding Sergeant Cooper and a firearm, as well as matters related to association funds and he said he did. Payne was asked who first contacted him regarding that information and he said, "The first information was in the form of an e-mail from my Operations Captain Richard Kowaltschuk and all it said was, chief, I have an important matter to discuss with you regarding possible criminal allegations by one of our officers."

Chief Payne continued, "I was in a department head staff meeting that morning and I didn't get a chance to even respond to the e-mail and I think I even picked it up on my phone while I was in the meeting so I couldn't address it. And if I recall correctly, my meeting went long enough to where Captain Kowaltschuk was no longer in the office when I got out of the meeting, so I wanna say that it was maybe even the following day and I got in touch with him and I said let's sit down, go ahead and tell me what it is that you know or understand or what was brought to you and he did the best that he could based on the information that he had. And again because it was the nature of an allegation of embezzlement and without any great detail about what the funds were or the action that took place or whatever."

Chief Payne further stated, "Captain Kowaltschuk told me that this matter had been brought to his attention by current or new members on the POA board and I wanna say that that would have been, and some may or may not have been members of the board because actually the, honestly the change in the board took place. I had no clue who was the new president, vice-president, member at large, all that kinda stuff but was present, were present and Captain Kowaltschuk was in there and I brought them all into the office and said okay, tell me everything you know."



Chief Payne was asked if he was provided any other information during that initial meeting and he replied, "No, not at the initial meeting. There, was some, well, I wouldn't say suggestion, some information that came forward and there were some mitigating issues and questions that needed to be cleared up regarding the notation that was on the check regarding this foundation or, yeah, and I understand that some of the individuals that were investigating this were, had tried to find out what Angels Haven was."

Chief Payne continued, "I knew nothing about it. Ultimately and later, not too much later because while this thing was being investigated criminally and I'll go into that a little bit, I felt that if there was a criminal investigation that I needed to stay out of it as much as I could, allow the criminal investigation to move forward and then ultimately, based on any decision, then to handle it administratively. But there was some question or discrepancy about why there was that notation on this check; but that ultimately Craig Cooper was the payee, the individual reimbursed. And then that's when I learned that the check actually had been used to pay for the gun that maybe the check originally was intended to go to this charitable group but that donation didn't happen."

Chief Payne further stated, "And again I really, unless it was part of a nefarious reason to hide funds or disguise the deal, I didn't get involved in their charitable contributions. I know that the association had over the years, and we have over decades participated in charitable organizations and things of that nature." Payne was asked what actions he took from that point forward after receiving the information in the fall of 2012. He said, "After I got as much information from these individuals in the meeting and I made it clear to them that I needed to know every bit as much as they knew at the time because I wanted to make sure that nothing had been left untouched."

Chief Payne continued, "Including whether or not, one of the questions in my mind was okay, well, I mean let's say that the transaction was legitimate but that the weapon was only worth \$500 on the open market and he paid himself a thousand, ultimately I think what I did and I'm kinda familiar with the firearm, it's an expensive firearm. I think ultimately somebody said that it's probably worth about \$1,500 so I just wanted to make sure that there wasn't any issue there, so I took as much information as was given to me, briefed, in fact, more than briefed. I mean I laid it out entirely to Sergeant Valencia, detective sergeant."

Chief Payne was asked what Sergeant Valencia's role with the department was at the time and he replied, "Well, he was a detective sergeant but my concern was that I wanted to have somebody else there with me with the DA to make sure that all of the information that we had at the time was presented to the DA so that they could at least give me an opinion and ultimately, Sergeant Valencia did take on a slightly different role but just very briefly. Actually that would have taken place after we met with the District attorney's Office."

Chief Payne said he contacted the Justice System Integrity Division; which was a unit attached the Los Angeles County District Attorney's Office within a matter of days of receiving the information. Payne confirmed the JSID unit handled allegations of misconduct regarding public officials, including police officers. Payne was asked if he personally contacted a particular person from the Los Angeles County District Attorney's office and he said he spoke to

Chief Payne was asked when that occurred and he estimated it was the end of October or the beginning of November 2012. Payne was asked if he presented the information he had regarding the check and firearm to and he said he did. Payne said Sergeant Valencia was also present during that meeting. Payne was asked to summarize the information he presented to Presby and he replied, "That there was a firearm that Sergeant Cooper owned or possessed and that he wanted the, and I don't know the motive behind it but the firearm was to be auctioned off at a Christmas party so he reimbursed himself with department or POA fiinds for the value of the firearm."

Chief Payne continued, "The firearm then, although probably not going through the dealer record of sale, became the property of the POA at which time the POA administered the raffle of the firearm at the Christmas party and again, all of that came well after the Christmas party. I had really no clue any of that was going on so that's how it was, it was presented to me and I ultimately presented it to the DA so I did tell him, I said we've got a firearm that best I can tell is worth \$1,500. Sergeant Cooper sold that firearm to the POA as a raffle item and reimbursed himself \$1,000 for the firearm."

Chief Payne was asked if the Los Angeles County District Attorneys Office had any concerns with the fact that when the check was initially written by Sergeant Cooper, he indicated it was reimbursement for . He said, "I told him, I said that's what the check ultimately was for. I told him, I said I understand and I had not even at that time talked to Sergeant Cooper and gotten an explanation, but that I understood that it was a check that was to be written to this group."

Chief Payne continued, "I don't think they were made out as the payee but that it was a check that they were going to present to this group. Ultimately that didn't happen and so Sergeant Cooper used that check to pay himself for the gun and I don't even know if the \$1,000 was even already filled in to the amount of the check and I didn't, I had no knowledge about the check beforehand, only after hand, after the fact when I saw the check made out."

Chief Payne was asked if he knew why Sergeant Cooper placed the reimbursement notation on the check and he replied, "No, but the information that I had seemed reasonable. That this was supposed to be done for the group, it didn't happen, that was the check that was used and so, and I told the DA, I said that's my understanding about why the appearance of this check is as it is. He asked me, he says, well, is the amount of the check more than what the firearm is worth or do you have any reason to believe that Sergeant Cooper gave himself money that he wasn't entitled to based on the sale of the firearm and I said I really don't know that but I'm kind of looking to you."

Chief Payne continued, "I said, obviously it seems weird but what appearances are and what the actual facts of it may be two completely different things. I said I need to know from you legally do we have an issue. Is this something that he is not entitled to do with his fiduciary responsibilities with the POA. Obviously as with those responsibilities he has to protect the best interests of the POA funds."

Chief Payne was asked if the Police Officers Association had by-laws in place that pertained to spending and he replied, "Well, they do although those don't always clearly address Christmas parties. Going back from my personal knowledge about serving in the POA, there was a \$500 limit that the POA could spend up to \$500 without membership approval. The only exception to that and I can't say that the exceptions were written in there although usually at the beginning of the year, Christmas parties are budgeted for, that that rule was not applied to the Christmas party because many expenditures will be over \$500."

Chief Payne was asked how his meeting with ended and he replied, "Well, it's two things I presented. Number one was the actual reimbursement for the firearm but I also was concerned about whether or not the weapon had been transferred properly from the registered owner to the purchaser through a licensed firearms dealer and I said there may be a bit of a twist on it because I understand that Sergeant Cooper is not the owner of the weapon, but that it was purchased by his wife."

Chief Payne continued, "In fact, I may even have had the AFS printout at the time. I don't recall if I did but specifically that was the owner of record of the firearm. Now whether or not there was an issue about, well, he was the de facto owner of the weapon, I didn't get into that but I did make sure that the DA understood. I said this is part of the whole deal and do you have a concern with that, either technically or, you know, an overbroad deal about cops buying and selling guns that they shouldn't be doing."

Chief Payne was asked how responded and he said, "Well, as far as the DROS, dealer record of sale, he said I see this all the time. We don't prosecute them. Now understand that doesn't make it any more or less okay. It's just not something the DA's office is gonna get involved in and he said we see it all the time. A lotta times, it's either an oversight or recklessness... I said, l'm under the gun on this thing because somebody's making some pretty serious allegations. Unless you have any other questions, something we haven't addressed or you need more information, I said I would really like to have a rejection. And he said chief, he said that can be done, but I can only do it with a criminal investigation."

Chief Payne added, "This was just a procedural type deal so I said, okay, I understand. I said I'll take what you say and feel comfortable that I don't need to put anybody on admin leave right now but I will have this investigated criminally. I will present it to you and then we'll take it from there and that's the role that Sergeant Valencia then took on briefly." Payne confirmed at that point he assigned Valencia to look into the criminal component of the allegations that were brought to his attention immediately after concluding his meeting with Deputy District Attorney Presby.

Chief Payne then explained the Los Angeles County Sheriff's Department became involved in the investigation a few days after he assigned the criminal investigation to Sergeant Valencia. Payne added, "What happened was that Sergeant Valencia started interviewing some of the individuals involved on the criminal investigation and then what happened very shortly and it was again a matter of days or, maybe a week, was that members of the police association came to me and said we don't want Sergeant Valencia doing this investigation."

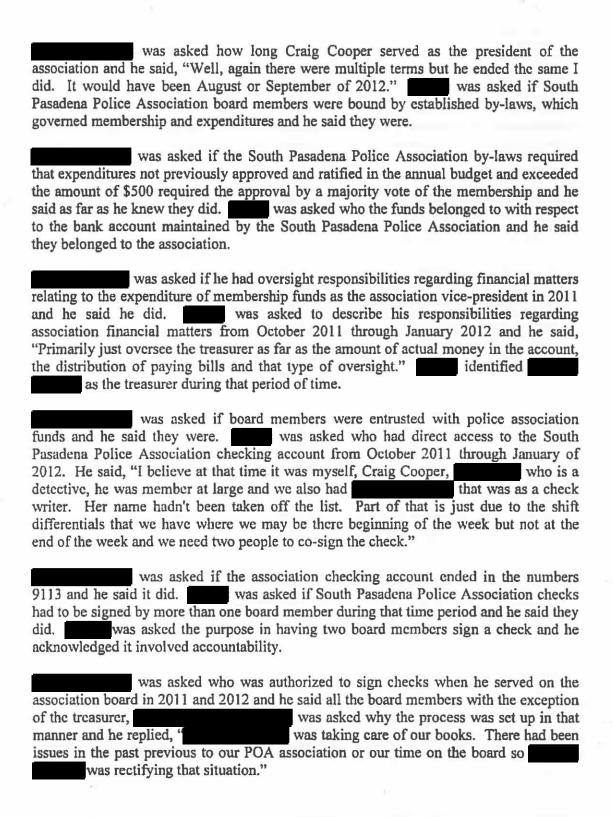
Chief Payne said some of the members of the police association believed it was a conflict of interest. Payne added, "I contacted who assigned a captain who I then went down and I think maybe a week later, they were real busy, I met with the captain. I brought Sergeant Valencia with me, we gave him as much information as we did, essentially the same thing as we told the DA and in fact told him, I said just so you know, we did present this to the DA to get an opinion."

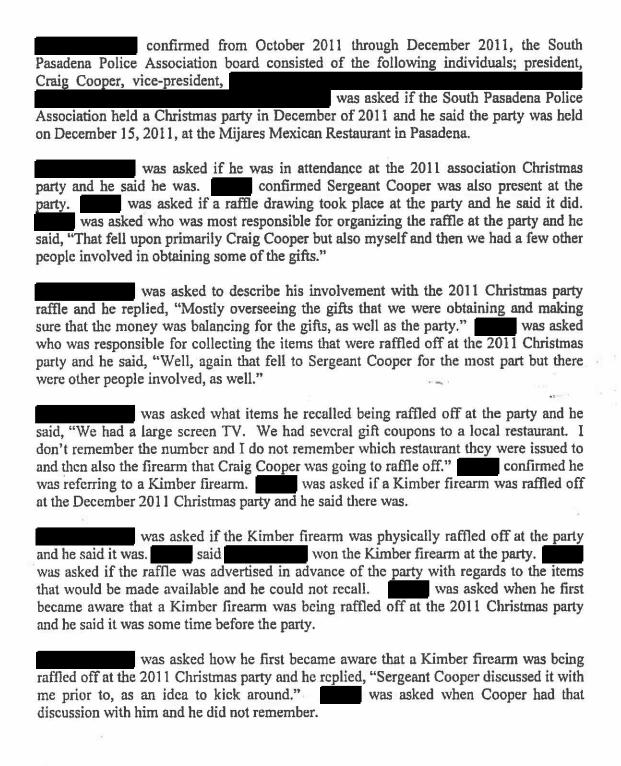
Chief Payne further stated, "Honestly all it was a letter on my behalf. I did not speak to He just essentially authorized it to happen. One of his aides called me and said chief, contact captain and I don't remember the captain's name. He then assigned two of his sergeants. They ultimately got to it but it was, it was quite some time later."

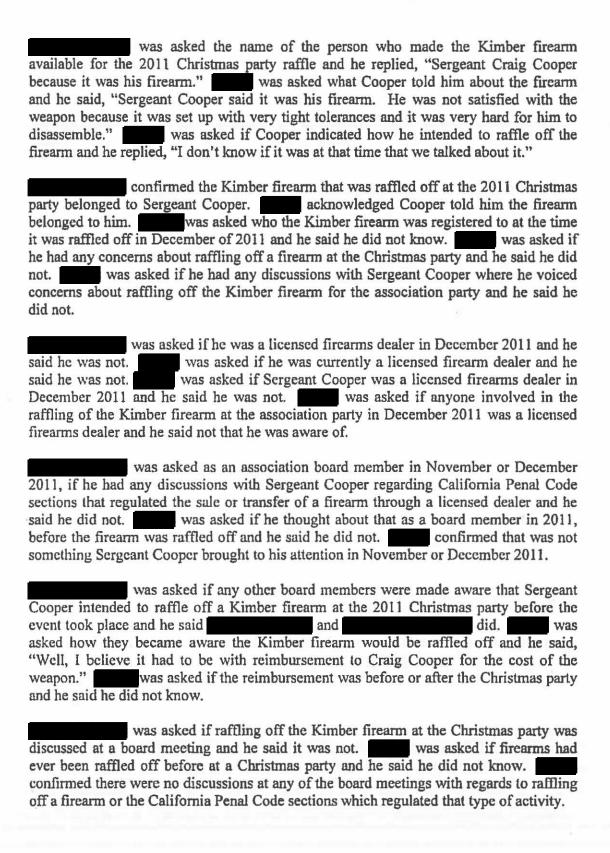
Chief Payne was asked if he was conducting any type of administrative investigation when the matter was being turned over to the sheriff's department. He said, "I made the conscious decision that I was not going to look at it administratively until the sheriff's department did their job. I did not want to run the risk of commingling an administrative investigation with a criminal investigation with Lybarger... it was kind of my opinion that if LASD did present a reasonable case for criminal behavior that alone can be basis to then, basically determine misconduct." Payne confirmed he had not received any finalized report from the Los Angeles County Sheriff's Department when he retired in March 2013. Payne confirmed nothing was brought to his attention with regards to what occurred with the check or the firearm until roughly October 2012 and it was then that he initiated a criminal investigation.

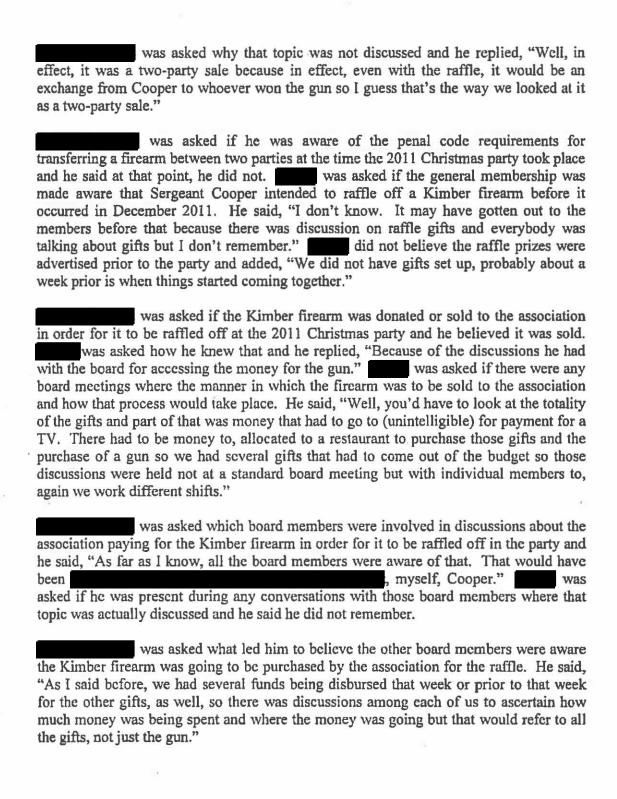
Chief Payne was asked if he had anything relevant to add and he replied, "There was a really good reason why I wanted to make sure that what I did here was transparent, on the up and up and that nothing was being hidden or, or misrepresented or anything else and one of those was that some of the individuals involved in my opinion had a personal beef with Sergeant Cooper and I was concerned that maybe this might be the motivation but I held back on that because anybody who's gonna make a criminal allegation, if they have evidence to support that, it has to stand on its own." Payne was asked why those individuals waited until the fall of 2012 to bring that information to his attention and he said he did not know.

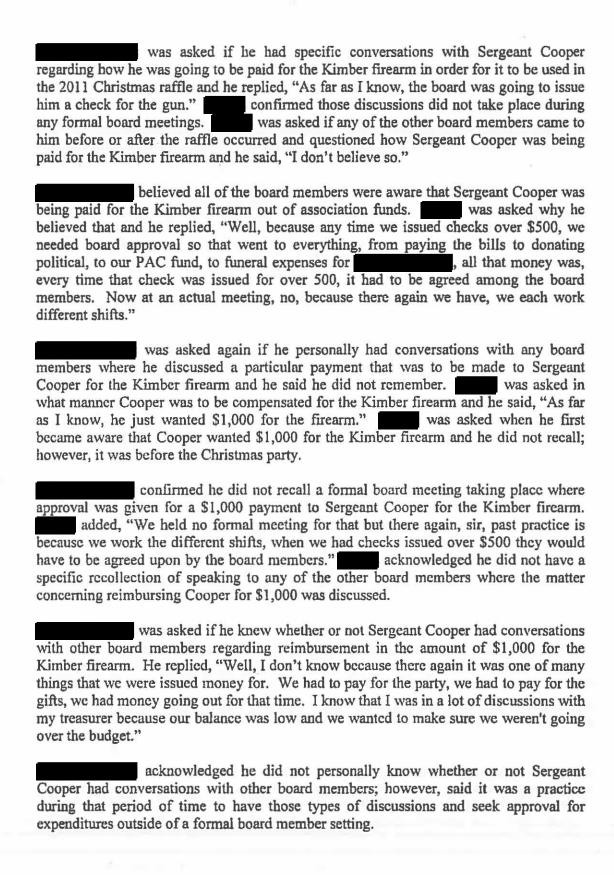
Interview of On August 13, 2013, Investigators Rodig and Wuest conducted an interview with was represented by his attorney was admonished to answer all questions completely and truthfully. admonished of his rights pursuant to the California Government Code. The interview was recorded and a transcript is included as Exhibit "W" in this report. The following is a synopsis of the interview. has been employed by the South Pasadena Police Department for 11 years and he is currently assigned to patrol. was asked the following questions: If South Pasadena police officers were expected to avoid illegal behavior on or off duty; if South Pasadena police officers were expected to conduct themselves in a manner as to not bring discredit upon themselves or the department, whether on or off duty; if South Pasadena police officers were expected to conform to local, state and federal laws, whether they were on or off duty. responded yes to all of those questions. was asked if he was currently a member of the South Pasadena Police Association and he said he was. was asked if he was currently a member of the South Pasadena Police Association board and he said he was not. he previously served as a board member for the South Pasadena Police Association. stated, "I served two terms. I served the first term as a vice-president, the second term as a president. I'm sorry, that's three terms. I also served a third time as a vicepresident." was asked when he ceased serving as a board member and he believed it was in August or September 2012. was asked his position on the association board from October 2011 through February 2012 and he said he was the vice president. identified Craig Cooper as the association president during October 2011 through February 2012.

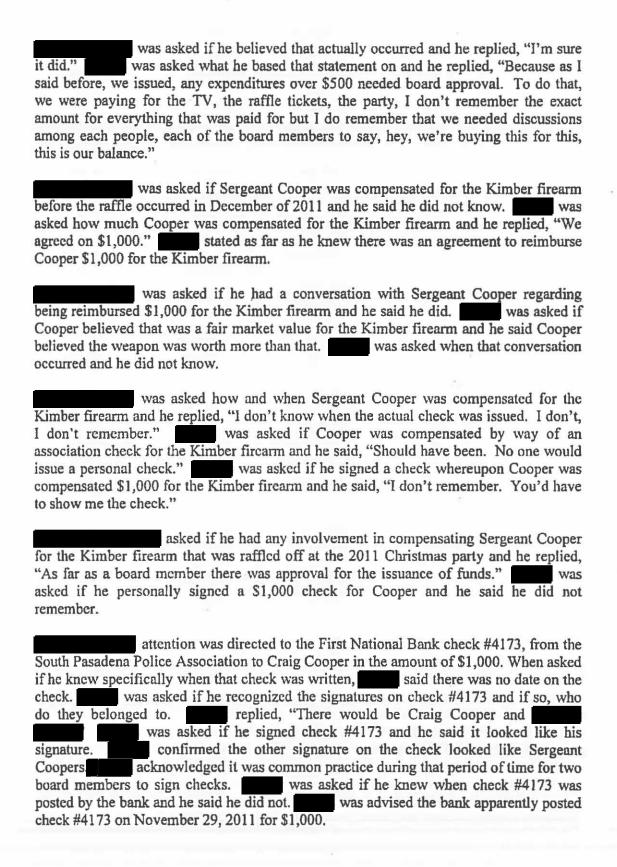


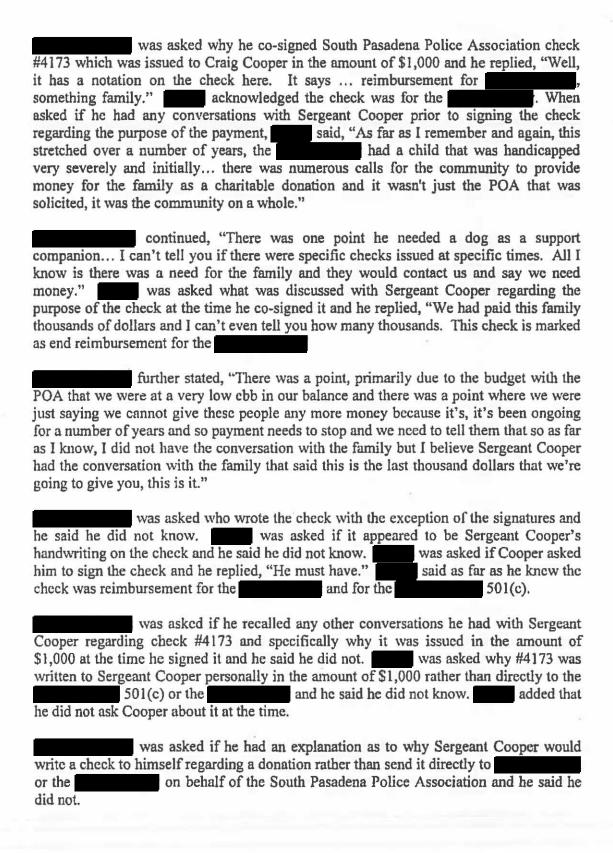


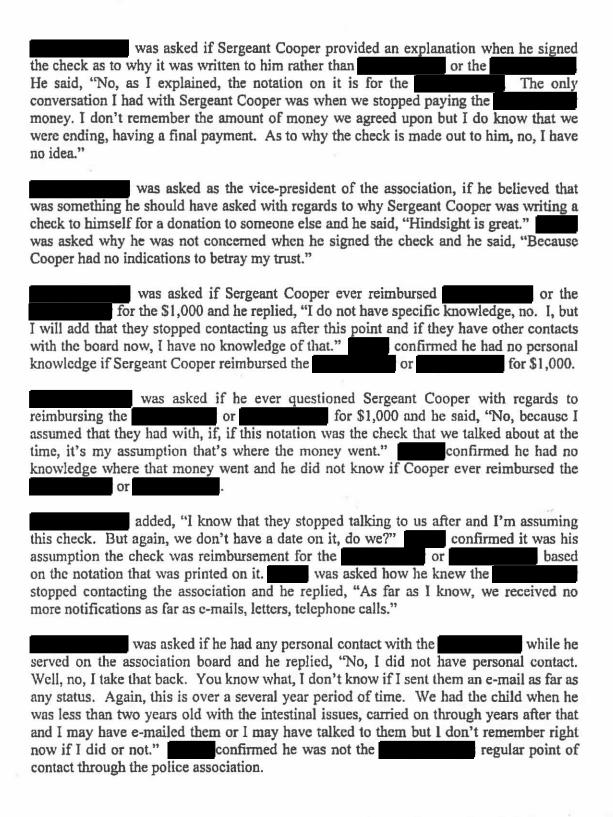






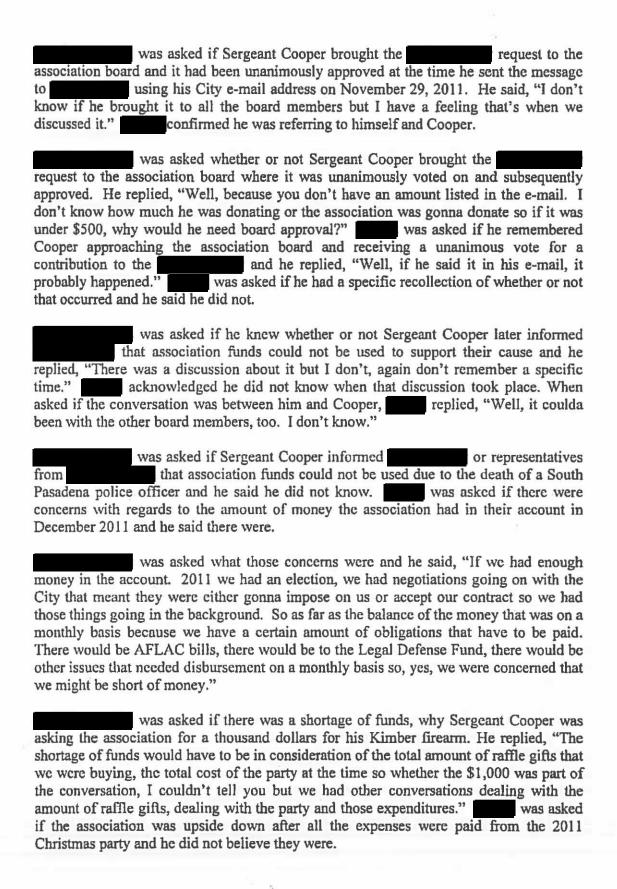


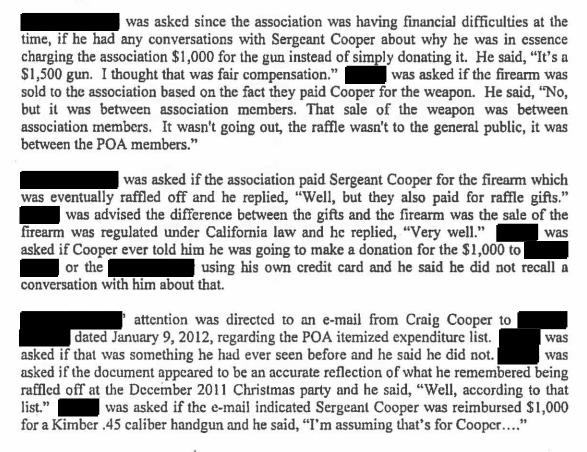




acknowledged he was not aware of any further communications with the family; however, it was possible they were in contact with someone else. was asked if he or Sergeant Cooper sought board approval for the payment of \$1,000 to the or as noted on check #4173 and he said, "Because the check is over \$1,000 we would have had to have board approval." was asked if he specifically recalled seeking board approval and he said he did not. confirmed the past practice was to generally seek formal board approval for any item over \$500.
was asked if check #4173 was used to pay Sergeant Cooper for the Kimber firearm, which was raffled off at the association Christmas party in 2011, or for another purpose and he said he did not know. was asked how Cooper was eventually compensated for the Kimber firearm and he said he did not remember. confirmed it was his belief check #4173 in the amount of \$1,000 was used for and the confirmed that was his belief when he signed check #4173.
was asked at the time of his interview, if he had any knowledge regarding whether or not Sergeant Cooper reimbursed in the amount of \$1,000 for the check that was written to him personally. replied, "Again, you have a notation that was made to the written on the check so I'd have to base my knowledge on that."
was asked if Sergeant Cooper ever told him how he was reimbursed for the Kimber firearm. He said, "There again as I stated before, checks were issued for gifts prior to the party. I do not remember if he received compensation at that time, if those checks were issued or issued at that time or if it was after the party. We did have some gifts or, excuse me, some bills after the party as far as squaring it up with Mijares and I don't remember if there was an alcohol tab in addition to that but there were checks issued that week and I cannot remember a specific check."
was asked who placed the notation on check #4173 regarding it being reimbursement for . He replied, "Again, I couldn't even tell you who wrote the check. Well, if it was Craig Cooper it could been him but it could been . I don't know." confirmed he did not have a specific recollection of whether or not the entire South Pasadena Police Association board was formally approached regarding the \$1,000 payment. also confirmed there were prior donations made to the association.

was asked if he signed any of the association check for the prior contributions and he said, "I'm sure I did." was asked if he actually recalled signing them and he said he did not. added, "And here's the thing. You'd have to show me the past checks that show. As I said, this went on for a number of years. At those times, I was the vice-president, I was the president and I was the vice-president so, yes, I may have signed checks to that family over those, that period of time but I don't have a recollection as to how long that period of time existed and I don't have knowledge of specific checks."
was asked with respect to the prior checks he may have signed, if he had a specific recollection of whether or not they were issued to Craig Cooper, someone else on the board, or if they were written directly to and he said he did not know. Confirmed if Cooper did in fact write check #4173, he did not know why it was issued in that particular manner.
was asked if he had any discussions with about a donation that would be made on behalf of the South Pasadena Police Association before check #4173 was written and he did not believe so. was asked why check #4173 was issued to Sergeant Cooper with the notation that it was reimbursement for instead of writing the check directly to the charity and he said he did not know. confirmed that was not something Cooper shared with him.
was asked if he found it unusual at the time he signed the check which stated it was for reimbursement, that it was written directly to Sergeant Cooper instead of being paid directly to and he said he did not. reason for that was he had a trust factor with Cooper. confirmed he did not know whether Cooper ever made a donation in the amount of \$1,000 to using his own personal funds in order to be reimbursed.
attention was directed to an e-mail from Craig Cooper [using a City address of the south Pasadena Police officers Association and was titled "the said he was. attention was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail from Craig Cooper [using a City and the said he was directed to an e-mail
was advised Sergeant Cooper's e-mail to stated, "I have brought this matter to the POA board members and we have unanimously voted to contribute to this worthy cause. I went onto the website you provided, (); however, I could not find the link to make a donation. Can you provide the information in order to provide us funds? We were happy to read about how well r is doing. Thank you, Craig Cooper, SPPOA."





Interview of Sergeant Craig Cooper

On August 16, 2013, Investigators Rodig and Wuest conducted an interview with Sergeant Craig Cooper. Cooper was represented by his attorneys and Marla Brown. Cooper was admonished to answer all questions completely and truthfully. Cooper was admonished of his rights pursuant to the California Government Code. The interview was recorded and a transcript is included as Exhibit "X" in this report. The following is a synopsis of the interview.

Sergeant Cooper has been employed by the South Pasadena Police Department for 10 years and he is currently assigned to patrol. Cooper was asked the following questions: If South Pasadena police officers were expected to avoid illegal behavior on or off duty; if South Pasadena police officers were expected to conduct themselves in a manner as to not bring discredit upon themselves or the department, whether on or off duty; if South Pasadena police officers were expected to conform to local, state and federal laws, whether they were on or off duty. Cooper responded yes to all of those questions.

Sergeant Cooper was asked if he was currently a member of the South Pasadena Police Association and he said he was. Cooper was asked if he was currently a board member and he said he was not. Cooper acknowledged he previously served as a board member and held the positions of vice-president and president. Cooper was asked how long he served in those two capacities and he said approximately eight years.

Sergeant Cooper was asked when he began his service on the board and at what point he stopped. He replied, "Eight years ago, two years after I got hired, I became president and then I held vice-president back and forth president by-laws and I stopped becoming the president I believe it was October of 2012, on or about." Cooper acknowledged he was the president of the association from October 2011 through February 2012. Cooper confirmed position on the association board during that time was as the vice-president.

Sergeant Cooper was asked if South Pasadena Police Association board members were bound by established by-laws, which governed membership and expenditures and he said they were. Cooper confirmed the South Pasadena Police Association by-laws required expenditures not previously approved and ratified in the annual budget that exceeded \$500 required approval by the majority vote of the membership. Cooper was asked who the money belonged to that was maintained by the South Pasadena Police Association in their checking and/or savings account and he said it belonged to the membership.

Sergeant Cooper was asked if he had any oversight responsibilities regarding financial matters relating to the expenditure of membership funds as the association president in 2011 and he said he did. Cooper was asked to describe his responsibilities regarding association financial matters from October 2011 through January 2012. He said, "Some disbursements, planning events, basically checking with our treasurer, making sure what money was going where and how much we had and accounting for money as far as political action fund and union business."

Sergeant Cooper was asked as one of the board members, if he was partially entrusted with the police association funds from October 2011 through January 2012 and he said he was. Cooper was asked who had direct access to the South Pasadena Police Association checking account from October 2011 through January 2012 and he said, "It should have been all of the board members. They were all on the signature card from the bank." Cooper was asked if he personally had access to the association checking account during that period of time and he said he did. Cooper was asked if there was only one checking account the association used and he said, "There was one primary that I used."

Sergeant Cooper was asked if the association checks had to be signed by more than one board member during the time period of October 2011 through January 2012. He said, "Typically, yes, however, I don't remember the time line but there was a mix-up at the bank where our new checks came and there was only position for one signature but two signatures are normally typically required."

Sergeant Cooper was asked to explain the purpose in having two board members sign association checks and he replied, "Obviously for oversight that you don't have someone obviously going rogue and spending a bunch of money without the association knowing." Sergeant Cooper was asked who was authorized to sign checks when he served as the board president during the time frame of October 2011 through January 2012 and he said, "Myself, and I believe on the account." Sergeant Cooper was asked if the association board consisted of Craig Cooper, and possibly from October through December 2011. He said, "We were without a fifth member for a period of time. I don't remember that time frame but I believe during some, or during that time but then stepped down and we were trying to fill her position." Cooper said a civilian employee and a member at large on the association. Sergeant Cooper was asked if the South Pasadena Police Association held a Christmas

party in December 2011 and he said they did. Cooper was unable to recall the date; however, believed it was on a Saturday prior to Christmas. Cooper was advised through previous interviews the indicated date was December 15, 2011, and he believed that was correct. Cooper confirmed the party was held at Mijares Mexican Restaurant in Pasadena and he was present at the time.

Sergeant Cooper was asked if a raffle was held at the party he said there was. Cooper was asked who was most responsible for organizing the raffle at the 2011 Christmas party and he replied, "It was a shared responsibility, myself, I believe helped also. It was not; one person didn't have more than the other.... It was a joint effort."

Sergeant Cooper was asked his involvement in the 2011 Christmas party raffle and he replied, "I provided a handgun for the raffle. I purchased meal tickets at a local restaurant that were giveaways. I purchased a watch also that was a raffle prize and coordinated with who is a family member, owns the restaurant, so I did a lot of the coordinating of the dates and times to book the venue through him." Cooper was asked if other individuals were involved with collecting items that were eventually raffled off at the 2011 Christmas party and he said there were.

Scrgeant Cooper was asked what other items were collected for the raffle and he said a large screen television and movie passes. Cooper confirmed he provided a Kimber firearm for the 2011 Christmas party raffle and when asked who won the gun, he said did. Cooper was asked if the raffle was advertised in advance of the party with respect to the items that would be made available and he said, "I know we announced that there would be giveaways. I don't know if we announced what was gonna be given away." Cooper confirmed he was the person who made the Kimber firearm available for the 2011 Christmas party raffle.

Sergeant Cooper was asked who the Kimber firearm belonged to that was raffled off at the party and he replied, "Well, on paper it belonged to my ex-wife purchased it and DROS'd it and she provided it to me as a gift." Cooper identified his ex-wife as and acknowledged she was the registered owner of the firearm. Cooper said gave him the Kimber firearm as a gift in late 2010.

Sergeant Cooper was asked if he had any concerns at the time about the Kimber firearm being raffled off at the 2011 Christmas party and he said he did not. Cooper was asked if anyone else he spoke to voiced concerns about raffling off a firearm and he said not to his recollection. Cooper was asked if he was a licensed firearm dealer in December 2011 and he said he was not. Cooper acknowledged he was not a currently licensed firearm dealer. Cooper was asked if anyone who was involved in raffling off the Kimber firearm at the association party in 2011 was a licensed firearm dealer and he said not to his knowledge.

Sergeant Cooper was asked as an association board member in November or December 2011, if he had discussions with anyone serving on the board regarding the applicable penal code sections which regulated the sale or transfer of a firearm through a licensed dealer and he said, "I don't remember, I don't recall. I mean I am fully aware that there are regulations." Cooper did not recall if he actually discussed that issue with anyone.

Sergeant Cooper was asked if any of the association board members were made aware in advance that he intended to raffle off a Kimber firearm at the 2011 Christmas party. He said, "Yeah, and and and it was through discussions that we had before the upcoming party of what items we were gonna produce." Cooper was asked to describe what he said to regarding raffling off the Kimber firearm. He said, and I had a discussion. I was initially gonna donate it to the POA and then through conversation, I can't believe, I can't remember who brought it up, it was either him or I, but just said, hey, listen this is an expensive gun."

Sergeant Cooper continued, "Let's let the POA pay something for it and I don't remember how we came up to \$1,000. Gun was valued at a little over \$1,500 and we settled on an even \$1,000 and when was made aware of it was just simply when I said, hey, listen, this is what we're doing. What do you think and he was a go." Cooper was asked when those conversations took place and he estimated it was approximately a month to a month-and-a-half before the 2011 Christmas party. Cooper confirmed having those conversations with who was the treasurer and who was the vice-president.

Sergeant Cooper was asked to provide more information regarding the conversation about how much would be paid for the firearm. He said, "It was myself and and I, like I said, I don't remember if he brought it up or I brought it up. I don't remember how we came to that amount. I guess it just seemed like a fair amount given the value of the gun. I initially just wanted to get rid of it. I was gonna donate it as just a free raffle prize and then said well, no. I mean this is an expensive gun, let's not do that and more discussion came about it between and I and as far as that's where we, we ended up on \$1,000, I don't remember who brought up what or how we came to that amount."

Sergeant Cooper was asked if other board members were contacted regarding those arrangements for the association to pay \$1,000 for the Kimber firearm, other than him, and the contact and the confident that we had board approval so there was no need to contact anybody else." Cooper was asked if those discussions occurred at a formal board meeting or in an informal manner and he said it was informal.

Sergeant Cooper confirmed the three votes he was referring to was his own, as well as and and Cooper was asked if he was referring to a formal vote and he said, "No, it wasn't formal but we know that if it was gonna, like we discussed it, we agreed upon it and we moved forward with it."

Sergeant Cooper was asked if the general membership was made aware in advance that he intended to raffle off the Kimber firearm and he would be reimbursed \$1,000. He replied, "I don't remember, like I said before, I don't remember if I told people what we were gonna raffle off. I just simply said hey, it's gonna be a great party. We're going to be having a raffle."

Sergeant Cooper was asked if he recalled specific conversations he had with the general membership regarding an agreement between himself, respective to being compensated \$1,000 for the Kimber firearm. He said, "I discussed it pretty much with everybody I passed, they were talking about it. I just, you know hallway conversation. Many people knew what we were gonna to be doing, pretty much everybody on my shift at the time knew and we talked about it frequently and openly. This wasn't like a big secret." Cooper was asked if the people he spoke to knew he was going to be compensated for the firearm and he said they did. Cooper confirmed he was referring to the general membership of the association.

Sergeant Cooper was asked if the Kimber firearm was donated or sold to the association in order for it to be raffled off at the 2011 Christmas party and he said it was sold. Cooper was asked if he was compensated for the Kimber firearm before the raffle occurred in December 2011 and he replied, "Well, that's not exactly how it happened. That's a very long-winded question or the answer to your question. Ultimately I was paid \$1,000 for the gun but it; there was a little bit longer, bigger, bigger story behind it." Cooper confirmed the agreement for him to be paid \$1,000 for the Kimber firearm occurred before the Christmas party took place on or about December 15, 2011.

Sergeant Cooper was asked to describe in detail when and how he was compensated for the Kimber firearm and the circumstances in which that occurred. He explained, "Initially I was, I wrote a check, myself and signed it, to myself for \$1,000. However, that check was originally earmarked for a donation to a local family for an adoption process. The lady needed \$3,500. She came to us because we had helped her in the past with a large amount of money when her son was sick so she thought she could rely upon us so I said, okay, I'll see what I can do and through conversations back and forth."

Sergeant Cooper continued, "I ended up cutting a check to myself for \$1,000 because the fund that I was putting it into, I was only able to access it on line with a credit card and we don't have a credit card in the POA so I cut the check to myself and was going to redistribute, re-distribute the money on my ATM debit card which I've done many, many times with a lotta money for stuff that I've spent and been reimbursed for and was going to put it on this account through my debit card."

Sergeant Cooper's attention was directed to check #4173, written against the South Pasadena Police Association account and made payable to Craig Cooper for \$1,000. Cooper was advised the check was not dated and when asked if that was the one he was referring to he said it was. Cooper was asked if he made a decision at some point to use the \$1,000 earmarked for reimbursement to the himself for the firearm and he said ultimately he did.

Sergeant Cooper was asked when that actually occurred and he replied, "who's our treasurer, when it came time, it was after the Christmas party and we had spent a lotta money and we're trying to reconcile the books, I went to and I said, listen. I still have this \$1,000 that I have held on to which we're not gonna end up using to support this family for an adoption, what do you want me to do? I asked him, do you want me to cut a check from my personal account to reimburse it for transaction and tracking purposes. He says, no, my books are straight, just keep it because we know where the money went and it's all accounted for. All of our books are balanced and that was a conversation that we did coming out of the briefing room. He was going in, it was right in front of the POA office. A timeline, it was sometime after the Christmas party when it came time to reconcile the books to make sure everything was accounted for."

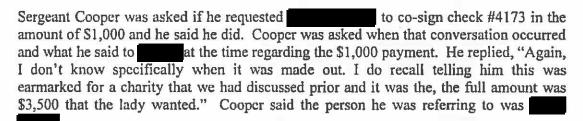
Sergeant Cooper was asked if the arrangement for him to keep the \$1,000 for the sale of the firearm took place after the December 15, 2011 Christmas party. He said, "That discussion that I just described between myself and was when the decision, I can't call it my decision. It was more of a joint decision. I'm talking to our treasurer who I have the utmost confidence in. He was a CPA in his former career so I asked him for our tracking purposes, would you like me to cut a check from my personal account to cover the thousand, that way we can reconcile the books and track the money and he says, no, my books are, are straight. Just keep the thousand that we had earmarked for the charity in place of the thousand for the gun. Hopefully, the, I hope that answers your question."

	Sergeant Cooper was asked prior to the Christmas party and raffle on December 15, 2011, if he had any intention whatsoever to use the \$1,000 that was originally earmarked for for the Kimber firearm that was raffled off and he said, "Absolutely not." Cooper did confirm there were conversations prior to the raffle taking place between himself, where it was agreed upon that he would be compensated for the firearm.
1	Sergeant Cooper was asked if there were specific discussions prior to the raffle on December 15, 2011, regarding how he would be compensated for the firearm. He said, "No, no, I mean I'll give you an example. I paid \$500 cash outta my pocket for a DJ and this money was going out, coming in, and then at the end is when we reconcile the books. It's like, okay, here's all of our tracking. This is where all the money went because I have to keep track of money because I was spending out of pocket on things which I've done in the past."
i i	Sergeant Cooper continued, "I just cut a check later on and that's what happened in this case, you know. Money was going out, money was coming in and then at the end, we reconciled the books and it was done sometime right after the party." Cooper was asked if the reconciliation of the books occurred after he sent an e-mail to dated January 9, 2012, where he laid out specific items from the party. Cooper confirmed that would have been the approximate time frame of his conversation with regarding the check that was originally written to the compensated for the firearm.
	Sergeant Cooper was asked if requested reconciliation documents and he said, "No, I don't believe so. I just knew that we needed to reconcile the books because we had a lotta funds that we needed to keep track of and him as a CPA has to have this in order, so we talked about it and I said okay, I'm gonna draw something up for you and I'm gonna send it to you. That way you have tracking."
	Sergeant Cooper indicated he had conversations with about being compensated; however, he was not specific as to how that compensation would occur. Cooper was asked based on the association by-laws, if the \$1,000 expense for the Kimber firearm should have been approved in advance by the entire board or the general membership. He replied, "Well, a Christmas party is a budgeted item and I've organized I believe at least three and we always have a rough amount we go by and we don't check in with the POA every time we do. This \$1,000 was a part of a giveaway for the Christmas party and the Christmas party was a budgeted item so therefore I don't have to go to the membership for approval because it's a budgeted item."

Sergeant Cooper's attention was directed to First National Bank check #4173, from the South Pasadena Police Association to Craig Cooper in the amount of \$1,000. Cooper was asked when that check was written and he replied, "Okay, there's no date on the check. I would say, I don't know specifically, sometime obviously before the Christmas party. I'm thinking approximately, I don't wanna speculate. It was a couple of months, maybe three months before the Christmas party."

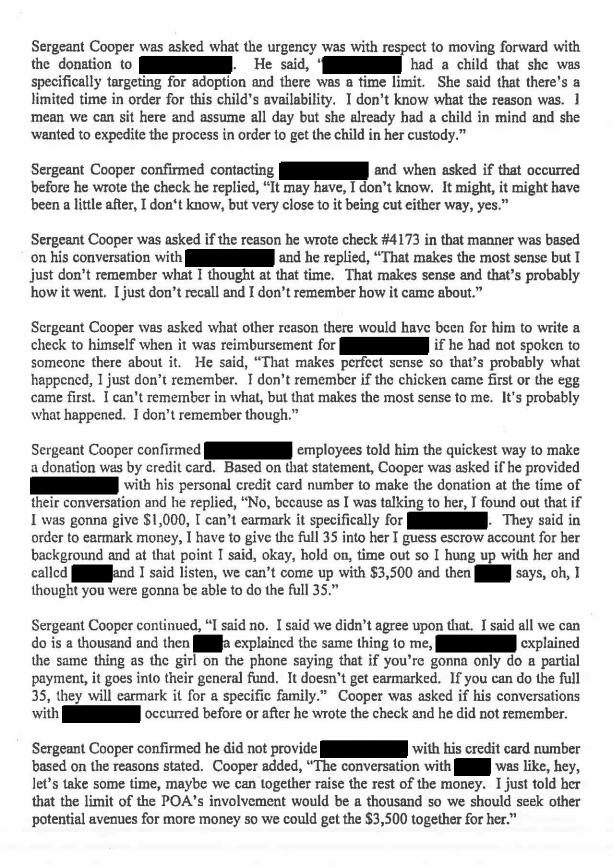
Sergeant Cooper was asked whose signatures were on check #4173 and he said it was his and cooper confirmed he and signed check #4173. Cooper was asked if it was a common practice for a board member to sign a check that was made payable to themselves and he replied, "Absolutely. I've written many checks to myself and if you check the books, Baker to Vegas is one of our big annual events. I'll go out, use my ATM credit card, debit card, rent a van, pay for gas, transportation costs and then when I come back, I say okay, I spent X amount of dollars and I would cut myself a check and that always required two signatures so whenever the treasurer or whoever I had signing the check, I would say okay, listen, here is my receipts, here's my timeline. I need this much money and he says okay, and then he would double sign my check and the funds were replaced."

Sergeant Cooper was asked if he cashed the check after signing it and he replied, "Yes, I placed it into my ATM debit account which I use primarily for the disbursement and repayment of funds to POA costs, reimbursement costs." Cooper was asked when he deposited check #4173 into his personal account and he did not remember. Cooper was advised bank documents indicated check #4173 was posted on November 29, 2011.



Sergeant Cooper was asked who was and he replied, "She's just a resident. I don't know if she even lives in the City anymore. It's been a while since I talked to her. She used to be a resident and we had a relationship with her, the POA did, because we had forwarded her a substantial amount of money. She had a sick child and medical costs were killing them and the POA decided to kind of adopt this family and help them out." Cooper was asked if he had any other type of relationship with outside of what he described through the police association and he said, "Strictly professional POA president to resident."

order to adopt a child, I think from Russia, I'm not sure where. I said okay, you know what? Let me see what I can do. We'll try to help you out. Went back, talked to get the account book, see how much money we had. Talked to asked him what he thought and then we came up with saying, okay, we can afford \$1,000. We can't come up with the 35 so that's when we decided to help her out with \$1,000 towards the adoption of the child." Cooper confirmed the association donated funds to in the past.
Sergeant Cooper was asked when first contacted him regarding making the donation in 2011 and he replied, "Judging from the check where it says posted 11-29, obviously it was sometime before then. I don't remember the exact date." Cooper was asked how he responded when requested \$3,500 and he said, "At first she didn't tell me what the amount was. She just said, hey, we're trying adopt this child through this agency but they require a background check. It costs, I don't think she even told me an amount and she asked if we would be willing to help. We had several conversations, some were by phone. I believe one was in person and we did have a couple of e-mail communications. I don't remember how many, how long or any circumstances."
Sergeant Cooper was asked what he initially told regarding her request for a donation from the South Pasadena Police Association in 2011 and he did not remember. Cooper was asked if he told the association would consider a donation and he said, "I don't remember specifically but I musta told her some effect that we were gonna help her out. I don't remember exactly what was said though."
Sergeant Cooper was asked why check #4173 was written to him instead of directly to . He replied, "She was on a timeline so she needed to get this done pretty quickly and then I contacted the charity directly and I spoke to somebody on the phone and I asked what type of payment methods they requested and they said that the quickest way is through credit card or ATM card. There was I believe a way to mail a check but that was very long and she was kind of on a timeline so I said, okay, no problem. So what I was going to do or what I did is I deposited the check in my account and was going to use my credit card/debit card to pay the funds online with their online payment service."
Sergeant Cooper was asked who he contacted from and he said he spoke to a female who worked in the donation department; however, he could not recall the name or when the conversation occurred. Cooper confirmed the female employee at told him the quickest way to make the donation was by credit card. Cooper was asked what that person specifically said about using a credit card and the quickest manner to continue the process and he said he did not remember. Cooper was asked if the employee also stated a check could be sent directly to from the association and he believed she did.



Sergeant Cooper was asked if the employee from Angels Haven told him they could not accept a \$1,000 credit card donation and he said, "They said they could, however, they could not guarantee the funds would go directly to the could be said it possibly would go into a pooled fund for their charity."

Sergeant Cooper was asked if the Angels Haven employee suggested another means by which the association could make a donation on behalf of the said. He said, "No, because at that point I know that we were trying to help out with the adoption so me putting \$1,000 into a general account for the organization would not be prudent so that's when I stopped."

Sergeant Cooper continued, "I did a time out on everything, called and clarified with her that, hey, listen, we can't do \$3,500. I said the extent that the POA can help is a thousand and then that's when she kinda said, oh, there was like a moment of, oh, my God, what are we gonna do and I said, hey, I can't go to 35. All I was approved for was a thousand so that's what we have to work with and at that time, it was decided that, okay, let's regroup and let's see if we can find other avenues to come up with the 35 which ultimately did not happen."

Sergeant Cooper was asked if Angels Haven sent him any documents by way of an invoice and he said they did not. Cooper said he had no recollection of Angels Haven sending him an invoice to a Yahoo e-mail account and added, "I don't remember. I mean I would say an invoice after payment like a receipt?"

Sergeant Cooper could not recall when the conversation with Angels Haven occurred. Cooper was asked if the \$1,000 payment was ever resolved between him and Angels Haven and he replied, "No, we couldn't provide the 35 so we, we didn't have any more communication with them." Cooper confirmed that was his only conversation with Angels Haven.

Sergeant Cooper was asked at the point he had the conversation with Angels Haven, if in his mind the \$1,000 would not be donated because it could not be earmarked directly for Cooper said, "Well, not exactly. The \$3,500 that we discussed, that I discussed with I said listen, I said we need to come up with 2,500 so we can still potentially do this for you but we need to pool our resources and see if we can come up with the whole amount so at that point, I was like, okay, we're still gonna have this \$1,000 earmarked for this charity but we need to come up with more money so we can ensure that the 35 goes to you."

Sergeant Cooper confirmed the \$1,000 option was still on the table between him and Cooper was asked when that option came off the table and he said, "I remember I had handle a text for me to her and I don't, I don't remember." Cooper was asked if he was referring to and he said, "Yeah. You know what? Yeah, that's my memory, it was I just, it's been so long I can't remember specifics."

pe be m be	ergeant Cooper confirmed when he originally deposited the \$1,000 check into his ersonal bank account he intended to use the money for a payment to Angels Haven on chalf of the Cooper added, "But when we couldn't raise the rest of the noney, that's when I started to reconcile the books towards the end of the year, eginning of the New Year and that's when we decided what to do as far as the actual toney being in the account."
W	bergeant Cooper confirmed his decision not to provide Angels Haven with his credit card then he had the conversation with them was because there was no guarantee the \$1,000 bould be earmarked for the
st ac w w	ergeant Cooper was asked if he returned the check for \$1,000 to the association and he aid, "Well, not yet because we were seeing if we could raise the rest of the money and ill donate the money." Cooper was asked if he was involved in trying to raise the additional \$2,500 and he replied, "I actually didn't get involved in any. I talked to about, it is a couple of people amongst the department POA and just, it kinda fell to the ayside." Cooper was asked if anyone from the POA worked towards raising the other 2,500 and he did not believe so.
waaaaaaa	with respect to the request they made in 2011 and he said there was not. Cooper as asked if he ever contacted and told her the association was unable to accommodate her request and he replied, "I don't remember if it was me or but and I discussed it because I remember having a few conversations with her but I don't remember exactly who's the one that said, hey, listen, this is not gonna happen."
fo \$ w	ergeant Cooper was asked if there was a reason the association did not want to move orward with at least a \$1,000 donation to and he said, "The purpose of the 1,000 initially was to help out this particular family that had come to us for help which we had kind of adopted over the years. So there was no interest in just putting it in the eneral fund of an adoption agency if it wasn't going out to help the person that was sking for the help."
fir	ergeant Cooper was asked if the association made prior donations to the and he said they did. Cooper was asked if the prior checks were written directly to and he said they were. Cooper was asked what was different about the donation from 2011 and why the \$1,000 check could not have been written directly to instead of being issued to him. Cooper replied, "That was at her request. She said that this is the adoption agency she was dealing with and that she said that she wanted it is go to this charity on her behalf for the adoption, for the background."
a	ergeant Cooper was asked why after he spoke to Angels Haven and they advised him bout the payment, he did not return the check for \$1,000, or reimburse the association and then make the payment as he had in the past [which was directly to

Sergeant Cooper explained, "There was a time lapse because we were seeing if she could raise the rest of the money and then if this was cashed on the 29th we had a lotta money coming in and out for the Christmas party so we were still hoping that we were gonna be able to give her the 1,000 but it just never happened."

able to give her the 1,000 but it just hever happened.
Sergeant Cooper was asked who he talked to regarding his hope that the association could give the \$1,000 donation. He said, "I believe I talked to about it, I think it was just me and that I talked about it with. I said listen, she wants 35. I said I talked to talked to the thousand; we don't have that kinda money available. I said all we can give her is the thousand. We're gonna give her some time to see if she can raise the rest of the money. If she can, then we'll do the \$3,500."
Sergeant Cooper was asked if the fact that he was considering donating \$3,500 to the was ever discussed at any formal association meeting. He said, "I never really brought up the, I didn't know how much they required until I actually got them on the phone. asked us for help. I said yeah, we're gonna help you out. I don't remember an amount back then. I found, I remember finding out about the \$3,500 when I talked to the, the actual foundation. I said okay, well, that's fine. I'd like to donate this \$1,000 in a name and then they said, oh, you can't do that. The only way you can do that is if you carmark the full 35 for the background, then we can put it to a specific person. If you don't have that, then it goes into the general fund."
Sergeant Cooper was asked if he had any discussions with Angels Haven about simply mailing them a check on behalf of the South Pasadena Police Association that was earmarked for the and he said he did not remember. Cooper was asked if he had any conversations with directly about the problems he encountered and the fact the association could simply send her a check for the \$1,000 and she could deal with it like she had in the past and he said he did not remember.
Sergeant Cooper was asked if the \$1,000 that was originally earmarked for Angels Haven and the as stated on check #4173 was ultimately used to reimburse him for the Kimber firearm which was raffled off at the 2011 association Christmas party. He said, "Ultimately you could say yes, but I mean there was money, I mean I, okay, I put, I put \$500 cash outta my account for the DJ, for example, so that money had to come back to me somehow and then there was other money going out."
Sergeant Cooper continued, "I mean all this was done on my ATM debit card and I was purchasing things for the Christmas party so like I said, when it came time to reconcile the books, I asked I, I said listen, I still have this \$1,000 left over from the thing, the foundation and I said I'll cut you a check from my personal account, that way we have tracking and I'm hearing this from my treasurer, said no, don't worry about it, the books are straight. Okay, that's how it ended." Cooper confirmed he offered to write a check to reimburse the association for the \$1,000 when it was decided that they were not going to assist

Sergeant Cooper was asked if the handwriting on the check with regards to his name, as well as the reimbursement notation were his, and he said it was. Cooper was asked why the notation on the check stated it was reimbursement for the and Angels Haven and he replied, "Because obviously, it was going to my name and I didn't want any problems coming up so I annotated on the check where it was earmarked for and that's why it was done that way, to make sure that if anybody had any questions, they would know where the money went."

Sergeant Cooper was asked as of the time of his interview if there had been in fact been a \$1,000 donation made to Angels Haven. He explained, "couldn't come up with the other 25 and there were, there were some, there was some pushback from other union members because we had given her a lotta money and there was a little bit of pushback from certain people, I don't remember who, but there was a little pushback because we, I think we've given her in excess of \$10,000 over the years so I had a little bit of pushback from the guys when, and they didn't wanna see the \$1,000 just going in her pocket. They wanted to make sure it was going to the fund and that's why we didn't cut her the check directly."

When asked, Sergeant Cooper could not recall who he had those conversations with. Cooper was asked when those conversations occurred and he replied, "Around the same time. Some point between before the Christmas party and sometime during the, I don't know, it was at some point where we discussed, where we were discussing okay, what are we gonna do. Are we gonna give her the \$1,000 and let her worry about it, are we gonna donate it or what are we gonna do with the money and I don't remember the time frame." Cooper was asked the last time the association made a donation to the directly and he believed it was five or six years ago.

Sergeant Cooper's attention was directed to an e-mail from to Craig Cooper dated November 24, 2011, titled "Cooper was asked if he recalled receiving that particular e-mail from and he said he did. The e-mail stated in-part, "For now, we are hoping to raise \$2,500 for our home study fee which is being conducted by Angels Haven, a non-profit organization. Any donation can be made directly to Angels Haven and is tax deductible."

Sergeant Cooper was asked if he recalled receiving that particular message from and he said he did. Cooper was asked if the \$2,500 described in the e-mail deviated from what he thought was \$3,500 and if it could have been \$2,500 that he was referring to. He said, "It could have been. Given, given that this was written back in November of '11, almost two years ago, yeah, I thought it was my recollection was not as fresh as I thought." Cooper acknowledged the e-mail also indicated it was for their home study fee and the donation could be made directly to Angels Haven and it was tax deductible.

Sergeant Cooper was asked if Angels Haven told him a credit card donation could not be designated for a particular person, in that case _______. He said, "No, that's not correct. Okay, as you see here they're trying to do a quick fundraiser. They're trying to raise funds quickly. The person I spoke to on the phone said the best way and the quickest way was the credit card use so then when we talked about it and when she described it to me, she said if you don't, now it's \$2,500, clarification from 35, if you don't earmark the full amount and it's saying home study, it was described to me as a background check on the family, okay, so they said if you come up with the 25, we could earmark that for a specific child for a specific family."

Sergeant Cooper continued, "They said if you make a partial donation, it goes into our general fund so that way, it would not be earmarked for . That's how it was described to me. That's why I did not, you know, do the full payment or partial. If I, if I could done the partial payment in her name and it would been earmarked for her, it would been a go. The reason I did not do that and hesitated was because she said if you don't make the full contribution, then it goes into our general pool of funds."

Sergeant Cooper was asked if that applied just to credit card payments or to checks as well. He said, "I think it applied to both, yeah. I don't remember specifically but I would, I don't see why it would be one for the other. The way it was described, the way the lady described it was if you make a full payment, we can earmark that for a specific child and family. If you make a partial payment, then it goes into our general fund. Why that's the case, I didn't ask. I just took the information and reported back to

Sergeant Cooper indicated earlier in his interview the payment would take too long if a check was mailed to Angels Haven. Cooper was asked why the conversation about it taking too long to mail a check came up since Angels Haven was located in California [and presumably it could be delivered in a short period of time by mail]. He said, "It was a secondary, she offered it as a secondary option and I said, well, time is of the essence so we're gonna use a credit card and she said there would be a delay time if you did in fact use a check for their processing purposes."

Sergeant Cooper was asked if he questioned the Angels Haven employee regarding whether or not a payment by check would change how the donation was earmarked. He said, "No, the second I found out that they weren't able to put it directly to account, earmarked for her, that's when I pretty much ended the conversation. Like okay, let me get back with her and we'll discuss our options."

Sergeant Cooper was asked if he inquired whether or not a check could be earmarked for a specific purpose. He said, "She didn't delineate between checks or credit cards. She just said the donation, you know, this donation, she didn't make it specific like, oh, if you pay with credit card, we can earmark it. If you pay with check, she, that, that conversation didn't happen. She just was talking about the actual donation. She didn't delineate between check or credit card."

Sergeant Cooper was asked if he responded to e-mail and he said he did while working the graveyard shift by using his City e-mail address. Cooper's e-mail to stated, stated, I have brought this matter to the POA board members and we have unanimously voted to contribute to this worthy cause. I went onto the website you provided, www.angelshaven.org ; however, I could not find the link to make a donation. Can you provide the information in order for us to provide funds? We were happy to read about how well is doing. Thank you, Craig Cooper, SPPOA." Cooper confirmed that was the e-mail he sent to on November 29, 2011.
Sergeant Cooper was asked at the time he sent the e-mail if he already brought the family request to the association board members and had it unanimously voted on and approved to contribute to the "worthy cause." He said, "I don't remember specifically but judging from my e-mail, I'm gonna assume that's what happened. I don't specifically remember I would have had to, yeah. I would have talked to, I would have talked to the board members and got their approval in an unofficial capacity, like we wouldn't have had a board meeting and had a vote, difficult to get everyone together on different shifts."
Sergeant Cooper was asked which board members he spoke to as stated in his e-mail regarding making a donation and the unanimous vote. He said, "I specifically remember talking to because it was just so convenient and I don't know if we had a fifth at this time. It might have been but I don't remember and I don't remember talking to yeah." Cooper added he could not recall if was on the board at that time.
Sergeant Cooper confirmed he did not have a specific recollection who he actually spoke to regarding receiving approval from the board. Cooper was asked based on his e-mail, if believed he was going to make a donation on their behalf to Angels Haven after he sent the e-mail on November 29, 2011, and he said she did. Cooper was advised November 29, 2011 appeared to be the same day he posted the check into his personal account and he replied, "Yeah, that's when it shows posted so I don't know what correlation or what time frame was in between the two."
Sergeant Cooper confirmed a donation was never made to with respect to that period of time by him or the association. Cooper was asked if he later informed the association funds could not be used to support their cause and he said, "It was either myself or "Cooper was asked who made the decision not to donate to the in that particular instance and he said, "There was probably a discussion between and I. I don't remember the specifics but a decision was ultimately made not to. I don't remember the circumstances."

Sergeant Cooper was asked what changed that caused the association to make a decision not to move forward and he said, "The money. We originally agreed on a thousand and all of a sudden, the issue came up, I thought it was 35, it's 25, and we were only gonna give the \$1,000 and were not gonna give any more and then there was discussion like, you know, how do we know she's not gonna just spend the money. We want it to into the charity. There was multiple discussions with multiple people but I just, I can't remember specifics."

Sergeant Cooper said, "I know I talked to , I know I talked to . I'm very open with my guys on my shift. I may have talked to the guys on my shift. I just, I don't remember specifically though." Cooper confirmed he only had one phone conversation with Angels Haven and when asked if there were any other contacts he replied, "You said there was an e-mail or something that I may have, you brought up an e-mail that I receive." Cooper was asked if he was referring to an invoice and he said, "Okay, an invoice."

Sergeant Cooper's attention was directed to a copy of an invoice from Angels Haven Outreach dated December 13, 2011, with a due date of December 13, 2011. RCS Investigators noted that parts of the invoice were redacted. Cooper confirmed the invoice was sent to his personal c-mail address. Cooper was asked if he received the invoice from Angels Haven and he replied, "I don't remember. It's, I mean it's to my e-mail so obviously at some point I'm assuming I did. I don't even, I don't remember, I don't remember."

Sergeant Cooper was advised it appeared from the invoice of December 13, 2011, that Angels Haven was still inquiring about the \$1,000 donation. He replied, "Yeah, well, the discussion that I had with the lady on the phone which I'm assuming that's who sent that form, I had not completely said, hey, listen, we're not gonna donate to you anymore. I told her, I said I need some time to talk to and figure out exactly what we're gonna do to make sure we have all the appropriate funds or come up with another game plan but I told her that I could not do the full amount."

Sergeant Cooper was asked if the December 13, 2011 invoice date helped his recollection as to when he had the conversation with Angels Haven and he replied, "Obviously it was before that date but I don't know. I can't remember the exact date." Cooper was asked if he was dealing with Angels Haven Outreach for any other reason other than matters relating to the during that time and he said he was not.

Sergeant Cooper was asked if the invoice indicated the donation would have to go to the general fund and he said it did not; however, he was told that verbally by the person over the phone. Cooper was asked if there were complications with respect to making the payment by credit card regarding the donation being earmarked for the said, "No, I don't remember that being said or being talked about. All I know is that when they were talking about the donation, the donation could not be earmarked for a specific person, whether it be check or credit card and it had to be the full amount if it was going to a sole person. Otherwise, it would go to the general fund."

Sergeant Cooper confirmed earlier in the interview that he was familiar with regulations regarding gun sales and when asked what those regulations were he replied, "Under the DROS thing, you have to take it to a firearms licensing facility, the firearm is held and the DROS paperwork is completed by the purchaser and the seller." Cooper was asked if followed that process with respect to the Kimber firearm and he said he did not.

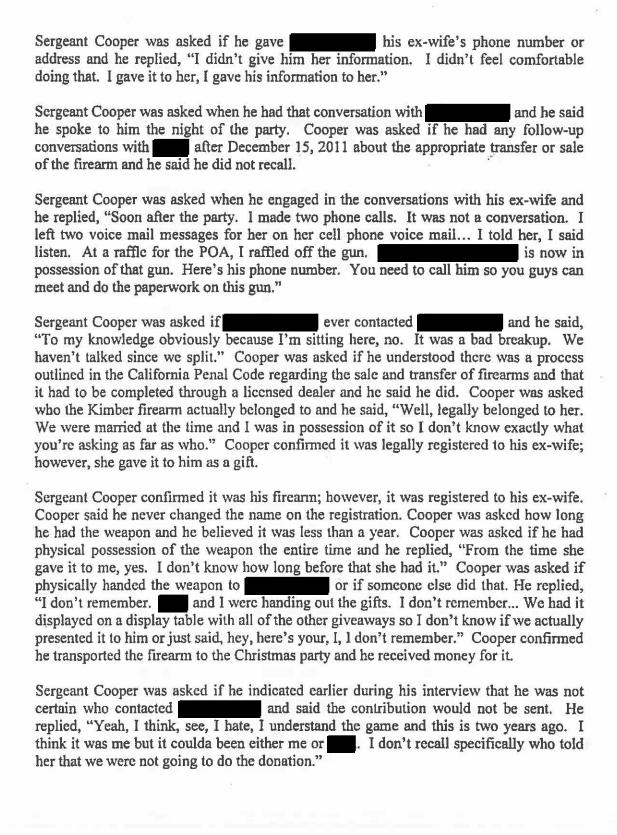
Sergeant Cooper was asked why he did not follow the process he described. He replied, "The gun was not in my name. I was not the legal owner. I told that the gun was my ex-wife's gun and that he needed to contact me and let me know, hey, let me figure out a mutual place for you guys to meet and you guys can meet and do the paperwork and I also made two phone calls, left voice message, voice mail messages for my ex identifying him as the purchaser and his phone number and apparently obviously that never got completed."

Sergeant Cooper was asked whose responsibility it would have been to make sure the Kimber firearm was properly transferred per the California Penal Code. He said, "I don't know specifically but I would assume it's the person, it's either the person that the, the title, the paperwork is on, in other words, the legal owner I guess you could say."

Sergeant Cooper was asked if he had any responsibility since he was the one that sold the gun to the association to make sure that it was properly transferred. He replied, "We're dealing with grown-up people. We're dealing with adults. I told him he had to contact me so I could set up a mutual place for him to drop it off. He's in possession of the gun. I left two voice mail messages for my ex-wife and said hey, listen, you gotta call this guy. He's got the weapon you guys need to take care of the paperwork."

Sergeant Cooper was asked if he ensured that process occurred and he replied, "Did I ensure? No, it's not my responsibility to do that." Cooper was asked if he profited from the sale of the firearm and he said he did. Cooper was asked if he believed he had any responsibility for making sure the firearm was properly transferred and he said, "I gave the information to two adults that needed to get the paperwork done and they failed to do that." Cooper did not believe he had any responsibility in the matter even though he profited from the sale of the firearm and gave it to the association for the raffle. Cooper added, "I handled the physical portion but I didn't handle any paperwork and that was up to the two people that were involved."

Sergeant Cooper was asked what he specifically said to about transferring or documenting the sale of the firearm through a licensed dealer. He said, "Specifically, I don't remember specifics. Again, this was two years ago. I told him, I said listen, this gun is in my ex-wife's name. I said let me know when you're ready to transfer ownership and then we'll meet at a gun, a gun shop that, she lives in Riverside County and he lives in LA County. I said we'll meet. We'll get a mutual place for you guys to set up. You can go drop off the gun, do your portion of the paperwork then I'll contact her and have her come and do the second, her portion as the seller. That way, the gun is entrusted to a licensed dealer."



Sergeant Cooper was asked if had any communications with during that time and he said not to his knowledge. Cooper was asked why he would believe that and told her he would not be moving forward with the donation. He said, "Other than that specific conversation, there's no reason that he would have any contact. It was one of those things where I've got a thousand things on my desk and I'm like, hey, listen, we need to handle this and I might have farmed it off to him. That was one of those things."

Sergeant Cooper was asked if he had any conversations, either by telephone or e-mail, with about the police officers association taxable status changing and he said he did not remember. Cooper was asked if he recalled having any conversation with about not being able to move forward with the donation because the association spent its funds for a police officer that was killed in the line of duty. He said, "That sounds familiar. It sounds like something that I recall. We did expend a lotta money when passed away. I may have explained to her that's why the money wasn't available instead of just saying, hey, the guys don't trust you to have \$1,000 because we're afraid you're gonna put it in your own bank account because that was brought up by a couple of the guys. Yeah, vaguely I do."

Sergeant Cooper was asked if the tax status of the association changed during that time and he replied, "I'm not in, on the board anymore but I do know that there was an issue with our exempt status. When I saw our last tax report, I got notification from our CPA that, in fact, our tax status was either lapsed, in jeopardy or had to be re-filed, something to that effect so, yes, it has changed. I just don't know what the current status is."

Sergeant Cooper was advised the check notation indicated it was a "reimbursement" and he replied, "Right, right, I understand." Cooper was asked if the money remained in his account and he stated, "It stayed dormant for I think about 40 days, 45 days, something like that." Cooper was asked if there was a reason he placed reimbursement on the notation line of the check and he said, "Just standard practice. It's usually what I do. Even for Baker to Vegas when I, when I, when I did my calculations, hey, how much the van's gonna cost, I put reimbursement on there. I suppose I coulda used advance. For tracking purposes, I think it's almost synonymous."

SECTION 2 CONCLUSIONS AND FINDINGS

SECTION 2

CONCLUSIONS AND FINDINGS

Allegation "1"

It was alleged in December 2011, that Sergeant Cooper engaged in activity which constituted a violation of California law when he arranged for and profited from the sale of a Kimber firearm without completing the appropriate transfer of the weapon through a licensed firearms dealer as required.

During his administrative interview, Sergeant Cooper acknowledged selling a Kimber .45 firearm for \$1,000 and being paid for the weapon through the South Pasadena Police Officers Association checking account. Cooper also confirmed that he was familiar with regulations pertaining to gun sales and the fact that a licensed dealer must complete the appropriate paperwork between the purchaser and the seller.

Sergeant Cooper was asked if followed that process with respect to the Kimber firearm and he said he did not. Cooper was asked why he did not follow the process and he replied, "The gun was not in my name. I was not the legal owner. I told that the gun was my ex-wife's gun and that he needed to contact me and let me know, hey, let me figure out a mutual place for you guys to meet and you guys can meet and do the paperwork and I also made two phone calls, left voice message, voice mail messages for my ex identifying him as the purchaser and his phone number and apparently obviously that never got completed."

Sergeant Cooper was asked whose responsibility it would have been to make sure the Kimber firearm was properly transferred per the California Penal Code. He said, "I don't know specifically but I would assume it's the person, it's either the person that the, the title, the paperwork is on, in other words, the legal owner I guess you could say."

Scrgeant Cooper was asked if he had any responsibility since he was the one that sold the gun to the association to make sure that it was properly transferred. He replied, "We're dealing with grown-up people. We're dealing with adults. I told him he had to contact me so I could set up a mutual place for him to drop it off. He's in possession of the gun. I left two voice mail messages for my ex-wife and said hey, listen, you gotta call this guy. He's got the weapon you guys need to take care of the paperwork."

Sergeant Cooper was asked if he ensured that process actually occurred and he replied, "Did I ensure? No, it's not my responsibility to do that." Cooper was asked if he profited from the sale of the firearm and he said he did. Cooper was asked if he believed he had any responsibility for making sure the firearm was properly transferred and he said, "I gave the information to two adults that needed to get the paperwork done and they failed to do that."

Sergeant Cooper did not believe he had any responsibility in the matter even though he profited from the sale of the firearm and personally gave it to the association for the raffle. Cooper added, "I handled the physical portion but I didn't handle any paperwork and that was up to the two people that were involved."

Sergeant Cooper was asked what he specifically said to about transferring or documenting the sale of the firearm through a licensed dealer. He said, "Specifically, I don't remember specifics. Again, this was two years ago. I told him, I said listen, this gun is in my ex-wife's name. I said let me know when you're ready to transfer ownership and then we'll meet at a gun, a gun shop that, she lives in Riverside County and he lives in LA County. I said we'll meet. We'll get a mutual place for you guys to set up. You can go drop off the gun, do your portion of the paperwork then I'll contact her and have her come and do the second, her portion as the seller. That way, the gun is entrusted to a licensed dealer."

Sergeant Cooper was asked if he gave his ex-wife's phone number or address and he replied, "I didn't give him her information. I didn't feel comfortable doing that. I gave it to her. I gave his information to her."

Sergeant Cooper was asked when he had that conversation with and he said he spoke to him the night of the party. Cooper was asked if he had any follow-up conversations with after December 15, 2011 about the appropriate transfer or sale of the firearm and he said he did not recall.

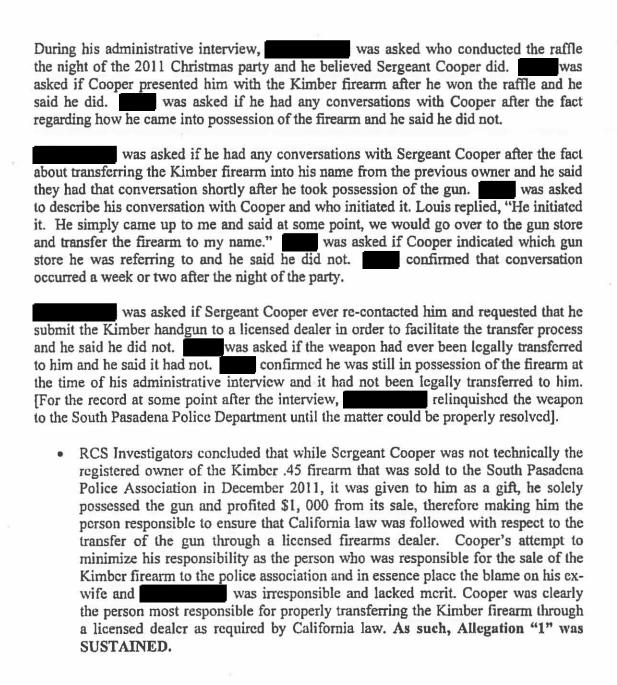
Sergeant Cooper was asked when he engaged in the conversations with his ex-wife and he replied, "Soon after the party. I made two phone calls. It was not a conversation. I left two voice mail messages for her on her cell phone voice mail... I told her, I said listen. At a raffle for the POA, I raffled off the gun.

possession of that gun. Here's his phone number. You need to call him so you guys can meet and do the paperwork on this gun."

Sergeant Cooper was asked if ever contacted ever contacted and he said, "To my knowledge obviously because I'm sitting here, no. It was a bad breakup. We haven't talked since we split."

Sergeant Cooper was asked who the Kimber firearm actually belonged to and he replied, "Well, legally belonged to her. We were married at the time and I was in possession of it so I don't know exactly what you're asking as far as who." Cooper confirmed it was legally registered to his ex-wife; however, she gave it to him as a gift. Cooper confirmed it was his firearm; however, it was registered to his ex-wife.

Sergeant Cooper said he never changed the name on the registration and possessed the weapon for less than a year. Cooper was asked if he had physical possession of the weapon the entire time and he replied, "From the time she gave it to me, yes. I don't know how long before that she had it." Cooper confirmed he transported the firearm to the Christmas party and he received money for it.



Allegation "2"

adverse conduct which was unbecoming a member of the South Pasadena Police Department, when he wrote himself a check from the police association bank account in the amount of \$1,000 and documented the expenditure as "reimbursement" for charitable purposes. It was alleged at the time Cooper wrote himself the \$1,000 check as "reimbursement" for he had not made any payments or donations on their behalf to be legitimately reimbursed for. Coopers actions resulted in other members of the department bringing information forward about alleged misconduct and it subsequently resulted in a criminal investigation by the Los Angeles County Sheriff's Department which is still pending.
In November 2011, Sergeant Cooper served as the president of the South Pasadena Police Officers Association and as such had various fiduciary responsibilities relating to expenditures. During his administrative interview, Cooper acknowledged that money maintained by the association in their checking account belonged to the general membership and not to a particular person.
On or about November 29, 2011, Sergeant Cooper wrote himself a \$1,000 check from the South Pasadena Police Association bank account, which was co-signed by vice president, . None of the other board members were made aware of the fact that Cooper wrote himself a check for \$1,000 at the time it occurred. At the time Cooper wrote himself the \$1,000 check he placed a notation on the document stating it was "reimbursement" for Angels Haven and the . The check Cooper wrote himself was placed into his personal bank account and posted on November 29, 2011.
The South Pasadena Police Association had previously made several donations to the directly for charitable purposes and was making another request for funds from Cooper in November 2011.
At the time Sergeant Cooper wrote the \$1,000 check [4173] to himself for "reimbursement" he had not personally made any payments, donations, or contributions to Angels Haven or the which would have warranted reimbursement. Reimbursement is generally defined as being paid back or refunded for a prior expense that is incurred. At the time Sergeant Cooper wrote himself the \$1,000 check stating it was for "reimbursement" he had no prior contact with Angels Haven and it was not until December 13, 2011, that he made phone contact with them inquiring about making a credit card payment on behalf of the
At no time between November 29, 2011 and December 13, 2011, did Sergeant Cooper make any form of payment to Angels Haven or directly to the literature. It remains unclear as to what the urgency was for Cooper to write himself a check from the association checking account and deposit it into his personal funds on or about November 29, 2011.

During his administrative interview, Sergeant Cooper was asked about check #4173 and if there was a reason he placed "reimbursement" on the notation line of the check. Cooper replied, "Just standard practice. It's usually what I do. Even for Baker to Vegas when I, when I did my calculations, hey, how much the van's gonna cost, I put reimbursement on there. I suppose I coulda used advance. For tracking purposes, I think it's almost synonymous."

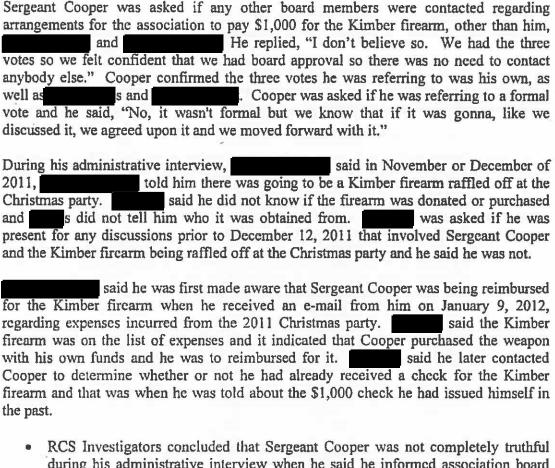
During his administrative interview,	was asked if he ever questioned			
Sergeant Cooper with regards to reimbursing the	for			
\$1,000 and he said, "No, because I assumed that they had with, if, if this notation was the				
check that we talked about at the time, it's my assump	otion that's where the money went."			
confirmed he had no knowledge where the m	oney went and he did not know if			
Cooper ever reimbursed the				
s added, "I know that they stopped ta	lking to us after and I'm assuming			
this check. But again, we don't have a date on it, do	we?" confirmed it was his			
assumption that check #4173 was reimbursement for	the			
based on the notation that was printed on it.	3			

• RCS Investigators concluded that Sergeant Cooper engaged in adverse conduct unbecoming a member of the department as the association president when he placed a notation on the check stating it was "reimbursement" for Angels Haven and the when no such payment or donation was ever made by Cooper during that period of time. Coopers actions have resulted in negative attention being placed on him as a member of the department, the police association and the South Pasadena Police Department. As such, Allegation "2" is SUSAINED.

Allegation "3"

It was generally alleged at various periods of time from November 2011 through August 16, 2013, that Scrgeant Cooper provided false and misleading statements, orally and in writing, to various individuals; including RCS Investigators, regarding events pertaining to the sale of a Kimber firearm and a \$1,000 association check which was deposited into Cooper's personal bank account.

1) It was alleged that Sergeant Cooper was less than truthful during his administrative interview when he said that he informed association board member in advance of the December 2011 Christmas party that he intended to raffle off a Kimber firearm for which he would be paid \$1,000. It was also alleged that Sergeant Cooper did not obtain three board votes in order to be paid for the Kimber firearm as indicated during his administrative interview.				
During his administrative interview, Sergeant Cooper was asked if any of the association board members were made aware in advance that he intended to raffle off a Kimber firearm at the 2011 Christmas party. Cooper answered by stating, "Yeah, and and it was through discussions that we had before the upcoming party of what items we were gonna produce." Cooper was asked to describe what he said to regarding raffling off the Kimber firearm. He said, "and I had a discussion. I was initially gonna donate it to the POA and then through conversation, I can't believe, I can't remember who brought it up, it was either him or I, but just said, hey, listen this is an expensive gun. Let's let the POA pay something for it and I don't remember how we came up to \$1,000. Gun was valued at a little over \$1,500 and we settled on an even \$1,000 and when was made aware of it was just simply when I said, hey, listen, this is what we're doing. What do you think and he was a go."				
Sergeant Cooper was asked when those conversations took place and he estimated it was approximately a month to a month-and-a-half before the 2011 Christmas party. Cooper was asked if he specifically recalled having those conversations with who was the who was the he replied, "Correct."				
Sergeant Cooper was asked to provide more information regarding the conversation about the \$1,000 payment for the firearm. He said, "It was myself and and I, like I said, I don't remember if he brought it up or I brought it up. I don't remember how we came to that amount. I guess it just seemed like a fair amount given the value of the gun. I initially just wanted to get rid of it. I was gonna donate it as just a free raffle prize and then said well, no. I mean this is an expensive gun, let's not do that and more discussion came about it between and I and as far as that's where we, we ended up on \$1,000, I don't remember who brought up what or how we came to that amount."				



- RCS Investigators concluded that Sergeant Cooper was not completely truthful during his administrative interview when he said he informed association board member in advance of the 2011 Christmas party that he intended to raffle off a Kimber firearm. Furthermore, statements by showed that Cooper did not obtain a third board member vote in advance of the 2011 Christmas party respective to being paid \$1,000 for the Kimber firearm, as Cooper said he did during his administrative interview.
- 2) It was alleged that Sergeant Cooper was less than truthful during his administrative interview when he said that he originally wrote himself a \$1,000 check from the association account because the fund [Angels Haven] he was contributing to was only accessible on-line with a credit card and the association did not have a credit card.

In his administrative interview, Sergeant Cooper was asked to describe in detail when and how he was compensated for the Kimber firearm and the circumstances in which that occurred.

Sergeant Cooper explained by stating, "Initially I was, I wrote a check, myself and signed it, to myself for \$1,000. However, that check was originally earmarked for a donation to a local family for an adoption process. The lady needed \$3,500. She came to us because we had helped her in the past with a large amount of money when her son was sick so she thought she could rely upon us so I said, okay, I'll see what I can do and through conversations back and forth."

Sergeant Cooper continued by stating, "I ended up cutting a check to myself for \$1,000 because the fund that I was putting it into, I was only able to access it on-line with a credit card and we don't have a credit card in the POA so I cut the check to myself and was going to re-distribute, re-distribute the money on my ATM debit card which I've done many, many times with a lotta money for stuff that I've spent and been reimbursed for and was going to put it on this account through my debit card." Cooper admitted after writing the check, he never paid Angels Haven or the

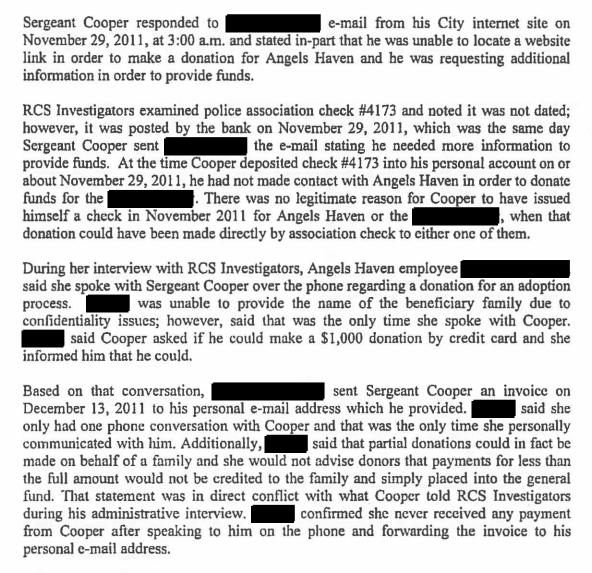
Sergeant Cooper said he never made a payment to Angels Haven because the employee he talked to told him the donation could not be designated to the unless the full amount for the home study was being paid. Cooper confirmed he only made one telephone call to Angels Haven and he did not recall the exact date.

During his administrative interview, Sergeant Cooper reviewed an invoice from Angels Haven dated December 13, 2011, for \$1,000. Cooper did not recall receiving the invoice from Angels Haven; however, acknowledged the e-mail address where it was sent was his own personal account.

RCS Investigators found Sergeant Cooper's explanation during his administrative interview that he originally wrote himself a \$1,000 check from the association account because the fund [Angels Haven] he was contributing to was only accessible on-line with a credit card [and the association did not have a credit card] to be misleading and inconsistent with the facts obtained during the investigation.

RCS Investigators noted that sent Sergeant Cooper an e-mail on November 24, 2011, that stated in-part, "For now, we are hoping to raise \$2,500 for our home study fee, which is being conducted by Angels Haven (www.angelshaven.org) a non-profit organization. Any donation can be made directly to Angels Haven and is tax deductible. Of course, donations can be made directly to our family if that is preferable. Once the home study is completed we will be eligible for adoption grants and we will be on our way to rescue"

Based on what was stated by on November 24, 2011, Sergeant Cooper could have made any donation directly to Angels Haven or the first the card. There was no indication in e-mail indicating the donation had to be made by credit card. Furthermore, it was established during the investigation that previous payments to the first were made directly to them by way of police association checks.



Sergeant Cooper acknowledged he only made one telephone call to Angels Haven and he did not recall when that occurred. Cooper claimed he spoke with a female employee from Angels Haven and was told the quickest method of making the donation was by credit card.

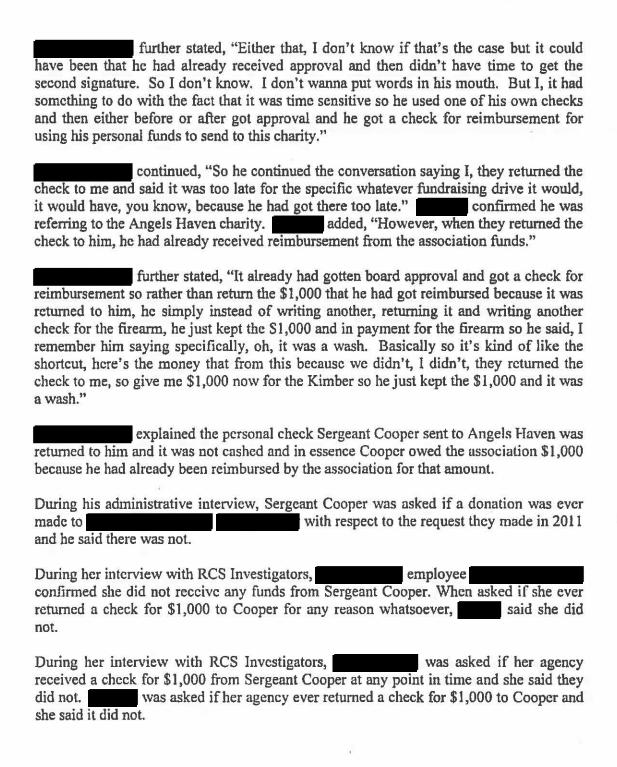
The e-mailed invoice that was sent from Angel's Haven to Sergeant Cooper's personal c-mail account was dated December 13, 2011; which was well after the time check #4173 posted to the bank on November 29, 2011. There was no evidence to show that Cooper's only access in order to make a donation to Angels Haven had to be on-line and by using a credit card. Angels Haven accepts donations by check and they obviously could be mailed to their office.

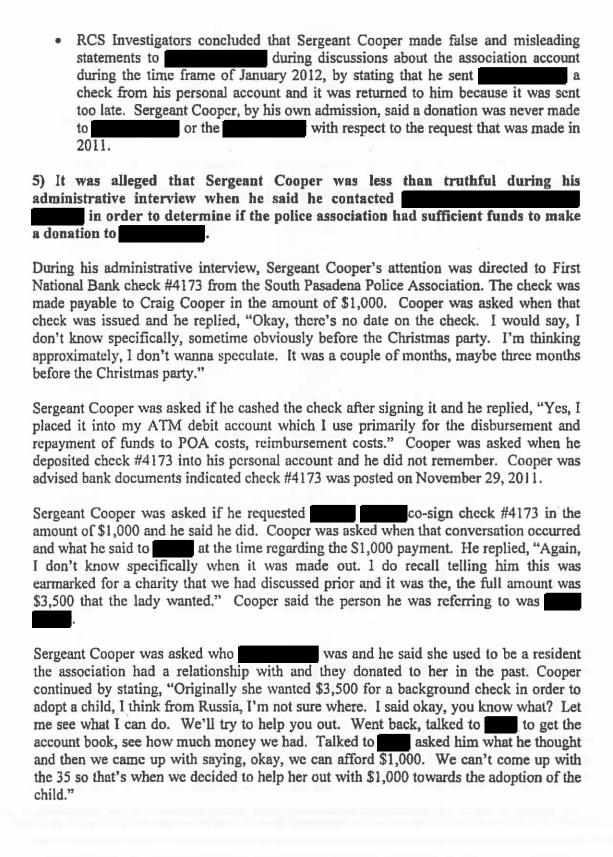
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• RCS Investigators concluded at the time Sergeant Cooper cashed check #4173 on November 29, 2011, he had not yet contacted Angels Haven regarding the donation. Cooper told RCS Investigators he wrote himself the \$1,000 check because the fund he was placing the money into was only accessible on-line with a credit card and the association did not have a credit card. Cooper's statement regarding the fund [Angels Haven] he was placing the money into only being accessible [to him] on-line by a credit card was false, because Angels Haven accepts checks as a form of payment and there was no legitimate reason for him to not mail a check on behalf of the charity directly to that organization and it would have arrived within a couple of days.						
3) It was alleged that Sergeant Cooper was less than truthful during his administrative interview when he was asked why the \$1,000 check was not written directly to instead of to him. Cooper responded by stating that was done at B request and she wanted the donation sent to the charity on her behalf.						
During his administrative interview, Sergeant Cooper was asked if the association made prior donations to the and he said they did. Cooper was asked if the prior checks were written directly to and he said they were. Cooper was asked what was different about the donation in 2011 and why the \$1,000 check could not have been written directly to instead of to him. Sergeant Cooper replied, "That was at her request. She said that this is the adoption agency she was dealing with and that she said that she wanted it to go to this charity on her behalf for the adoption, for the						

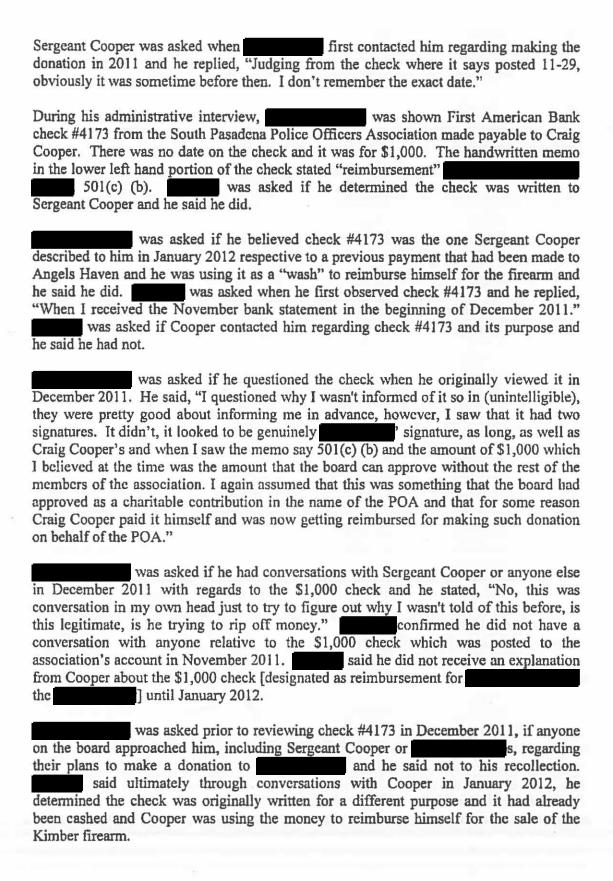
background."

In her e-mail to Sergeant Cooper on November 24, 2011, specifically stated the donation could be made directly to Angel's Haven; however, if preferred it could be made directly to the

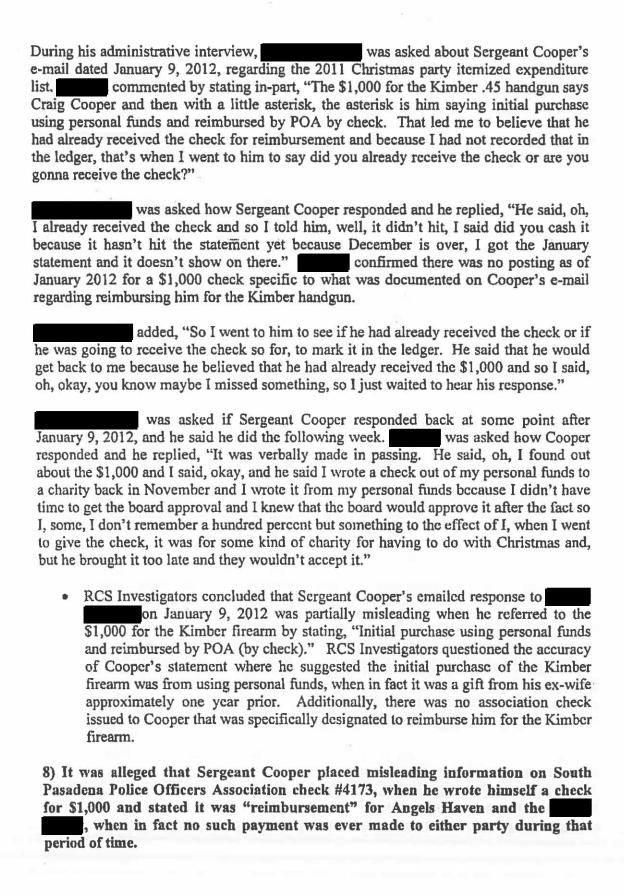
• RCS Investigators concluded that Sergeant Cooper was less than completely truthful during his administrative interview when asked what was different about the donation in 2011 and why the \$1,000 check could not have been written directly to instead of to him and he responded by stating, "That was at her request. She said that this is the adoption agency she was dealing with and that she said that she wanted it to go to this charity on her behalf for the adoption, for the background." Based on the e-mail from on November 24, 2011, it was clear that Cooper could have written the check directly to the as the association had done numerous times in the past.
4) It was alleged that Sergeant Cooper made false and misleading statements to during discussions about the association account around the time frame of January 2012, by stating that he sent Angels Haven a check from his personal account and it was returned to him because it was sent too late and could not be accepted.
During his administrative interview, was asked if Sergeant Cooper responded at some point after January 9, 2012, when he had questions about the association account and he said he did the following week. was asked to describe how Cooper responded and he replied, "It was verbally made in passing. He said, oh, I found out about the \$1,000 and I said, okay and he said I wrote a check out of my personal funds to a charity back in November and I wrote it from my personal funds because I didn't have time to get the board approval and I knew that the board would approve it after the fact so I, some, I don't remember a hundred percent but something to the effect of I, when I went to give the check, it was for some kind of charity for having to do with Christmas and, but he brought it too late and they wouldn't accept it."
confirmed Sergeant Cooper indicated the charity he wrote a personal check to would not accept it because he turned it in too late. was asked if Cooper indicated what charity he wrote a personal check to, anticipating the association would reimburse him and he said.
was asked if Sergeant Cooper explained why he would write a personal check to and then later seek reimbursement from the police association. He replied, "Something to the effect of it was, there was a time issue, a time constraint that he had to give the money by a certain time and that he didn't have time to wait for a check from the association because he needed two signatures and he didn't have time to procure a second signature."
confirmed Sergeant Cooper told him in January 2012 that he wrote a personal check for \$1,000 to due to a time sensitive concern and he anticipated being reimbursed by the association after he had an opportunity to present the matter to them.







RCS Investigators concluded Sergeant Cooper was untruthful in his administrative interview when he stated he contacted determine if there were sufficient funds in the POA account available to make the donation to the said the January 9, 2012, e-mail regarding the Christmas party expenses resulted in his only conversation with Cooper regarding the donation to the RCS Investigators found version of the events credible and were of the opinion that Cooper did not discuss the donation with until on or about January 9, 2012, well after he had already cashed the \$1,000 POA check.				
6) It was alleged that Sergeant Cooper made false and misleading statements in a message he sent to y from his City e-mail address on November 29, 2011, by stating he had full board approval to make a donation to her worthwhile cause.				
On November 29, 2011 at 3:00 a.m. Sergeant Cooper sent an e-mail from his City account stating in part the following: "The state of the POA board members and we have unanimously voted to contribute to this worthy cause"				
RCS Investigators determined at the time Sergeant Cooper sent the e-mail to on November 29, 2011, the association board members consisted of Cooper, and possibly				
During his administrative interview, said he was not present for any discussions involving a donation to Angels Haven and there was not a board meeting involving that issue.				
During his administrative interview, said he not aware of any donation to Angels Haven until after he had a conversation with Sergeant Cooper in January 2012 regarding reimbursement for the Kimber firearm that was raffled at the Christmas party.				
RCS Investigators concluded that Sergeant Cooper did not speak with Detective regarding a donation to Angels Haven and he did not make aware of a donation until they were discussing reimbursement for the Christmas party expenses in January 2012. RCS Investigators concluded that Sergeant Cooper was not completely truthful in his e-mail to on November 29, 2011, when he informed her in writing that he had "unanimous" board approval for the donation. The evidence showed there was not unanimous board approval at any point in November or December 2011 respective to making a donation to the				
7) It was alleged that Sergeant Cooper sent a partially misleading c-mail on January 9, 2012, when he stated the initial purchase of the Kimber firearm was from personal funds and he was reimbursed by a police association check. Coopers c-mail led to believe that Cooper had already received a check for reimbursement for the				



During his administrative interview, Sergeant Cooper Sergeant Cooper was asked about check #4173 and if there was a reason he placed "reimbursement" on the notation line of the check and he replied, "Just standard practice. It's usually what I do. Even for Baker to Vegas when I, when I did my calculations, hey, how much the van's gonna cost, I put reimbursement on there. I suppose I coulda used advance. For tracking purposes, I think it's almost synonymous."

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Cooper ever reimbursed the				
added, "I know that they stopped t	alking to us after and I'm assuming			
this check. But again, we don't have a date on it, d	o we?" confirmed it was his			
assumption the check was reimbursement for the	based			
on the notation that was printed on it.				

RCS Investigators concluded the notation by Sergeant Cooper was misleading and deceptive when he stated it was "reimbursement" for Angels Haven and the when in fact no such payment or donation was ever made by Cooper during that period of time. The use of the word "reimbursement" would lead a reasonable person to believe that Cooper was being paid back or refunded for a prior expense that he incurred and was making a payment on.

As a result of what was previously identified in items 1-8, RCS Investigators concluded that Scrgeant Cooper engaged in a pattern of inappropriate conduct relating to verbal and written statements that were misleading and false, pertaining to the sale of a Kimber firearm and a \$1,000 association check which was deposited into his personal bank account. As such, Allegation "3" is SUSTAINED.

SECTION 3 EXHIBITS

EXHIBIT A

SOUTH PASADENA POLICE DEPARTMENT DUTY MANUAL

VOLUME 4

Chapter 7

CONDUCT AND PERSONAL APPEARANCE

705 RULES OF CONDUCT - POLICY

The policy of the South Pasadena Police Department is to ensure that its personnel consistently demonstrate and maintain the highest degree of integrity and professional conduct. To achieve this goal the Police Department has adopted the following as standards of conduct:

- a. Oath of Office administered by the Chief of Police;
- b. The Law Enforcement Code of Ethics;
- The Police Department's Mission Statement;
- d. The Nine Canon of Ethics as established by the Code of Professional Conduct for California Peace Officers; and
 - Each Canon sets forth a set of disciplinary rules which specifies an unacceptable level of conduct for sworn personnel of the South Pasadena Police Department regardless of their rank or the nature of their assignment.
- e, General responsibilities for both sworn and non-sworn personnel.

705.01 CANON ONE:

PEACE OFFICERS SHALL UPHOLD THE CONSTITUTION OF THE UNITED STATES, THE STATE CONSTITUTION, AND ALL LAWS ENACTED OR ESTABLISHED PURSUANT TO LEGALLY CONSTITUTED AUTHORITY.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

a. They violate the Constitutional Rights of any person.

Revised 11/15/93

- b. They fail to take action under circumstances in which it is within their province and ability to protect the Constitutional Rights of another.
- c. They demonstrate by their performance, either by acts of commission or omission, that they lack sufficient knowledge of the law to properly perform their duties.
- d. They abuse their authority.
- e. They fail to take action in the enforcement of legally enacted laws under circumstances in which refusal to take action would be considered an abuse of police power.

705.02 CANON TWO:

PEACE OFFICERS SHALL BE AWARE OF AND SHALL USE PROPER AND ETHICAL PROCEDURES IN DISCHARGING THEIR OFFICIAL DUTIES AND RESPONSIBILITIES.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

- a. They use excessive force under color of authority.
- b. They fail to use or attempt to use that force or restraint reasonably required under the circumstances.
- c. They exhibit cowardice in the performance of their duties.
- d. They with intent to deceive or misrepresent, omit relevant facts or otherwise falsify an official report.
- e. They with intent to deceive or misrepresent, omit relevant facts or otherwise falsify information, testimony, or evidence which they provide in their official capacity.
- f. They allow expediency to replace compliance with lawfully required procedures.
- g. They fail to deal fairly and impartially with those whom they contact in their official capacity.

705.03 CANON THREE: PEACE OFFICERS SHALL REGARD THE DISCHARGE OF THEIR DUTIES AS A PUBLIC TRUST AND SHALL RECOGNIZE THEIR

RESPONSIBILITIES TO THE PEOPLE WHOM THEY ARE SWORN TO PROTECT AND SERVE.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

- They fail to devote reasonable efforts to accomplish their assigned mission,
- They use on-duty time for private business, personal pursuits, or other activities not related to official duties.
- They fail to accept the lawful duties and responsibilities directly related to their assigned tasks.
- d. They fail to make a reasonable effort to maintain the physical condition, mental condition, or knowledge necessary for the effective performance of official duties.
- e. They misuse, misappropriate, or waste equipment or material.
- f. They fail to care for or use properly the equipment or material available to them.
- g. They fail to remain alert and prepared to respond to any requirement of their position, whether by directed or self-initiated activity.
- They allow personal convictions, values, beliefs, prejudices, or biases to interfere with their lawful and ethical responsibilities as peace officers.

705.04 CANON FOUR:

PEACE OFFICERS WILL SO CONDUCT THEIR PUBLIC AND PRIVATE LIFE THAT THEY EXEMPLIFY THE HIGH STANDARDS OF INTEGRITY, TRUST AND MORALITY DEMANDED OF A MEMBER OF THE PEACE OFFICER PROFESSION.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

a. They consume intoxicating beverages to the extent that it results in impairment which brings discredit upon the profession, or the South Pasadena Police Department, or renders them unfit for their

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next tour of duty.

- b. They consume intoxicating beverages when in uniform.
- c. They consume intoxicating beverages while on duty, except in the performance of their official duties.
- d. They use any controlled substances not legally prescribed; or; when controlled substances are prescribed, they fail to notify their superior prior to reporting for duty.
- e. They engage in conduct in their personal or business affairs which adversely affects their performance, or brings discredit to the peace officer profession or the South Pasadena Police Department.
- f. They undertake any financial obligation which they know, or reasonably should know they will be unable to meet, and they fail without just cause to pay all debts when due.
- g. They engage in any illegal political activities.
- h. They permit or authorize for personal gain the use of their name or photograph and official title identifying them as officers, in connection with testimonials or advertisements of any commodity or commercial enterprise which is not the product of the officer involved.
- i. They recommend to the public in any manner, when acting in their official capacity, the employment or procurement of a particular product, professional service, or commercial service with the intent to further the interests of one vendor over another, or to receive personal gain.
- They engage in any activity which constitutes a conflict of interest or is in violation of any law.
- k. They conduct themselves, either on or off duty, in such a manner as to adversely reflect on the profession or the South Pasadena Police Department. Prohibited conduct shall include that which brings discredit upon the profession or the South Pasadena Police Department or that which tends to impair their efficiency or the operation and/or efficiency of the South Pasadena Police Department.

- They accept extra-departmental employment or participate in the management, operation or ownership of any business or enterprise which conflicts with their responsibilities and obligations to the South Pasadena Police Department, brings discredit to the profession or the South Pasadena Police Department, or adversely affects their efficiency or effectiveness in the performance of official duties.
- m. They refuse, fail to obey, or otherwise manifest an insubordinate attitude toward any lawful and proper order.
- n. They manifest disrespect, insolence, or mutinous conduct either by action, speech or behavior.
- They fail to conduct themselves in a courteous and respectful manner in their official dealings with the public, fellow officers, superiors, and subordinates.
- p. They engage in any strike, work obstruction or abstention, in whole or in part, from the full, faithful and proper performance of their assigned duties and responsibilities, except as provided by law.
- q. They fail to maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration, while acting in an official capacity.

705.05 CANON FIVE:

PEACE OFFICERS SHALL RECOGNIZE THAT OUR SOCIETY HOLDS THE FREEDOM OF THE INDIVIDUAL AS A PARAMOUNT PRECEPT WHICH SHALL NOT BE INFRINGED UPON WITHOUT JUST, LEGAL, AND NECESSARY CAUSE.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

- They abuse the authority vested in them by willfully restricting the freedom of any person without legal justification.
- b. They act in an arbitrary manner to deny any person a fundamental without legal justification, whether through direct action or by refusing to act in a reasonable manner to protect a person whose rights are being denied.
- c. They use their official position to detain, or to restrict the freedom of

any individual, by a method or means that is contrary to law.

705.06 CANON SIX:

PEACE OFFICERS SHALL ASSIST IN MAINTAIN-ING THE INTEGRITY AND COMPETENCE OF THE PEACE OFFICER PROFESSION.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

- They fail to expend the required effort in the provision of services, whatever the status of the recipient.
- They fail to maintain or demonstrate the degree of competency expected of a peace officer.
- c. They fail to disclose or report, via their Bureau Commander, to the Chief of Police any peace officer whom he/she has reason to believe has committed any of the following acts:
 - Violated the civil/constitutional rights of any person.
 - 2. Has committed any felony.
 - Has committed a misdemeanor involving moral turpitude.
 - Has demonstrated dishonesty, including the falsification of any document/report prepared in the course and scope of the peace officer's employment.

Violation of this section is gross misconduct.

- d. They fail to disclose or report to proper authority or to assist in the exposure of those officers who are incompetent or in violation of any of these rules or standards of professional conduct.
- e. They fail to disclose or report to proper authority, or to assist in the exposure of those officers who commit any act which brings discredit to the profession, or who otherwise demonstrates themselves to be unsuited for the profession.
- f. They fail to disclose to proper authority any adverse or derogatory information at their disposal which might serve to disqualify any candidate from transferring within or entering the profession.

- They demonstrate by their performance a lack of sufficient knowledge g. of current techniques, concepts, laws, and requirements of the profession to properly, efficiently, and effectively perform their duties.
- h. They use their position to exempt themselves from compliance with any law applicable to the general public.
- i. They fail to report to superiors, or to act within their sphere of responsibility to correct, through training and education, officers deficient in their performance.
- They, as department managers, fail to accept the responsibility of j. utilizing available resources or fail to assert the authority of their office in maintaining the integrity of their agency and the competency of their officers.

705.07 CANON SEVEN: PEACE OFFICERS SHALL COOPERATE WITH OTHER OFFICIALS AND ORGANIZATIONS WHO ARE USING LEGAL AND ETHICAL MEANS TO ACHIEVE THE GOALS AND OBJECTIVES OF THE PEACE OFFICER PROFESSION.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

- They refuse or fail to disclose, within legal and agency guidelines, a, appropriate information or give proper assistance that will further the legitimate objectives of the criminal justice system.
- b. They fail to render appropriate assistance to any other officer.
- They fail to cooperate, within legal and agency guidelines, with C. personnel of other justice agencies as well as their own.

705.08 CANON EIGHT:

PEACE OFFICERS SHALL NOT COMPROMISE THEIR INTEGRITY, NOR THAT OF THEIR AGENCY OR PROFESSION, BY ACCEPTING, GIVING OR SOLICITING ANY GRATUITY.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

They offer, give, solicit, or accept any favor or gift of value for their

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benefit from any person, business, or organization, if it may be reasonably inferred that the person, business, or organization:

- Seeks to influence action of an official nature or seeks to affect the performance of an official duty; or
- Has an interest which may be substantially affected, either directly or indirectly, by the performance of an official duty.
- They use their official position for personal or financial gain, or for obtaining privileges not otherwise available to them.

705.09 CANON NINE:

PEACE OFFICERS SHALL OBSERVE THE CONFIDENTIALITY OF INFORMATION AVAILABLE TO THEM THROUGH ANY SOURCE, AS IT RELATES TO THE PEACE OFFICER PROFESSION.

Peace officers shall be subject to disciplinary action for unprofessional conduct whenever:

- a. They breach the confidentiality of information by releasing or allowing to be viewed or used, any official information or reports, except in compliance with the law and regulations of their agency.
- They fail to disclose to proper authority that confidential information necessary for the proper performance of their duties.
 GENERAL CONDUCT

710 GENERAL CONDUCT

710.05 AUTHORITY OF COMMANDING OFFICER

Authority in the Department shall be exercised with firmness and justice by any Commanding Officer. He shall avoid, as far as circumstances warrant, censuring a subordinate in the presence of others. Superior officers are forbidden to injure or discredit those under their authority by tyrannical or capricious conduct or by abusive language.

Commanding Officers are vested with the authority commensurate with their responsibility to take summary disciplinary action when necessary.

710.10 ISSUANCE OF ORDERS

EXHIBIT B

SOUTH PASADENA POLICE OFFICERS ASSOCIATION BYLAWS OF THE ASSOCIATION

ARTICLE I - MEMBERSHIP

Section 1: Membership in this Association shall be limited to the regularly appointed, active, and retired members of the South Pasadena Police Department.

Section 2: Membership in the Association shall cease upon the resignation or dismissal of a member from the South Pasadena Police Department. All rights, privileges and interest of a member in or to the Association shall cease on termination of membership, and such terminated members shall thereafter have no claim to any dues, contributions or other moneys or assets which have been paid to or become the property of the Association.

Section 3: Any member may be suspended or terminated for cause. Suspension, dismissal, or termination from the Department, a violation of these Bylaws, a violation of any lawful rule or practice adopted by the Association, or failure to pay required dues shall be sufficient cause for termination or suspension from this Association. Suspension, termination or expulsion shall be by vote of a majority of the Board of Directors.

Section 4: Any member of the Association at the time of his honorable retirement for City service will automatically become a lifetime member of the Association. Retired members of the Association shall be the guest of the Association at the annual Christmas dinner.

ARTICLE II - MEETINGS AND ELECTION OF DIRECTORS

Section 1: The election of the Association Board of Directors shall be held at earliest possible time in February. Said election shall be held at such place as may designated by the Board of Directors and notice shall be posted in writing on the Association's bulletin board and in other conspicuous places at least ten (10) days prior to the date of such election. The membership shall elect by majority vote a Board of Directors consisting of five (5) members, at least (4) of whom shall also be officers of the Association.

Section 2: Ten (10) members shall constitute a quorum for all membership meetings and for the purpose of transacting any business of the Association.

Section 3: All powers of the Association shall be exercised by or under the authority of the Board of Directors.

Section 4: The Directors shall be elected by written ballot at the annual election by the membership, to serve for one year and until their successors are elected. Proxy voting shall be allowed in that election. their term of office shall begin immediately upon their election. Vacancies for any reason may be filled for the balance of the term thereof by the Board of Directors.

Section 5: Regular meetings of the Board of Directors shall be held at least monthly, at such time and place as may be selected by the Board of Directors.

Section 6: A special meeting of the membership may be called by petition of ten (10) or more members.

Section 7: Election of Board of Directors members, meet and confer items of negotiations, and other Association business, may be approved by a majority vote of all members. Where a general meeting of the members is not convenient, such votes may be conducted by written ballot upon certification of the Secretary of the Association.

ARTICLE III - OFFICERS

Section 1: The officers of the Association shall be the President, Vice President, Secretary, Treasurer and Member at Large.

Section 2: All officers shall take office immediately upon their election and shall serve for a term of one year and until successors are duly elected. Officers are eligible for re-election. Vacancies in any office may be filled for the balance of the term thereof by the Board of Directors.

Section 3: (PRESIDENT) The President shall preside over meetings of the Board of Directors, shall be the chief officer of the Association and perform all duties as are necessary and incident to the office. He/She shall communicate to the Board of Directors and the membership such matters and make such suggestions as may, in his/her opinion, tend to promote the welfare and increase the usefulness of the Association. The President shall notify the Association, in writing, as soon as possible after taking office, that the Association Bylaws are correct and that all slawful changes, amendments and/or additions have been incorporated. Upon the President shall automatically become the election, representative to the Police Officers Research Association of California (PORAC). The President, shall also appoint, with full approval of the Board of Directors, a second representative to PORAC chosen from the membership.

Section 4: (VICE-PRESIDENT) The Vice President shall in the absence, disability, resignation or termination of the President, perform the duties and exercise the powers of the President, and shall perform such other duties as the Board of Directors shall prescribe.

Section 5: (SECRETARY) The Secretary shall conduct all the correspondence of the Association, and keep or cause to be kept a book of minutes of all meetings of the membership and the Board of Directors, with the time and place of holding, whether regular or special, and a list of the members present.

Section 6: (TREASURER) The Treasurer shall receive and keep all funds, assets and properties of the Association, and pay them out only on the check of the Association, signed only in the manner authorized by the Board of Directors. It shall also be his/her duty to assist the President in the preparation of the Annual Budget, and to publish and present to the membership a quarterly Financial Report.

Section 7: (MEMBER-AT-LARGE) The Member-At-Large shall maintain, update, service and handle all of the insurance policies, matters, and claims of the Association and its membership, and shall perform such other duties as the Board of Directors shall prescribe.

ARTICLE IV - DUES AND EXPENDITURES

Section 1: Dues shall be determined by the Board of Directors subject to the approval of the membership and shall be automatically deducted from the member's salary on a monthly basis.

Section 2: Any member of the Association neglecting, failing or refusing to pay such dues, or to authorize their deductions, may be suspended from membership and deprived of any or all benefits, rights or privileges of the Association for such a period as the Board of Directors may determine, but not to exceed one (1) year per violation.

Section 3: Each year, and as soon as possible after taking effice, the President of the Association shall present an annual budget to the Board of Directors for their approval. Upon their approval, the budget shall be published and presented to the membership for ratification.

Section 4: Expenditures of the Association not previously approved and ratified in the annual budget, and exceeding the amount of five hundred dollars (\$500.00) shall require the approval by the majority vote of the membership.

ARTICLE V - NEGOTIATING GUIDELINES

Section 1: (General) The Board of Directors is hereby given the responsibility of appointing a committee for the purpose of negotiating wage and benefit request with the duly recognized representative of the City of South Pasadena, on behalf of the membership of the Association. Such committee will consist of not less than three (3), and not more than five (5) members, and the majority of whom shall be members of the Board of Directors. The committee shall convene as a working committee no less than 90 days prior to the expiration of any existing Memorandum of Understanding (MOU). The committee shall then be formed and its responsibilities assigned as follows:

- A. The Board of Directors shall decide the number of members serving on the committee and shall appoint the appropriate number of Board of Directors members to the committee. The committee will then attempt to complete their membership with volunteers from the Association membership.
- B. One (1) Board of Directors member serving on the committee shall be appointed by the Board of Directors as Chairperson and Spoke-person for the committee, and will preside over all meetings of the committee. The committee will then appoint a Co-Chairperson from the remaining members of the committee.

EXHIBIT C



Home > California > Codes > Penal Code > Control of Deadly Weapons > Firearms > Sale, Lease, or Transfer of Firearms > Crimes Relating to Sale, Lease, or Transfer of Firearms > Crimes Relating to Sale, Lease, or Transfer of Firearms

California Penal Code

27500
27505
27510
27515
27520
27525
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27535
27540
27545
27550
27555
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27590

Section 27545

Where neither party to the transaction holds a dealer's license issued pursuant to Sections 26700 to 26915, inclusive, the parties to the transaction shall complete the sale, loan, or transfer of that firearm through a licensed firearms dealer pursuant to Chapter 5 (commencing with Section 28050).

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(last accessed September 5, 2011).

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Home > California > Codes > Penal Code > Control of Deadly Weapons > Firearms > Sale, Lease, or Transfer of Firearms > Crimes Relating to Sale, Lease, or Transfer of Firearms > Crimes Relating to Sale, Lease, or Transfer

California Penal Code

27500 27505 27510 27515 27520 27525 27520 27525 27530 27535 27540 27546 27550 27555 27560 27565 27570 27590

Section 27590

- (a) Except as provided in subdivision (b), (c), or (e), a violation of this article is a misdemeanor.
- (b) If any of the following circumstances apply, a violation of this article is punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.
 - (1) If the violation is of subdivision (a) of Section 27500.
 - (2) If the defendant has a prior conviction of violating the provisions, other than Section 27535, of this article or former Section 12100 of this code, as that section read at any time from when it was enacted by Section 3 of Chapter 1386 of the Statutes of 1988 to when it was repealed by Section 18 of Chapter 23 of the Statutes of 1994, or Section 8101 of the Welfare and Institutions Code.
 - (3) If the defendant has a prior conviction of violating any offense specified in Section 29905 or of a violation of Section 32625 or 33410, or of former Section 12560, as that section read at any time from when it was enacted by Section 4 of Chapter 931 of the Statutes of 1965 to when it was repealed by Section 14 of Chapter 9 of the Statutes of

News Related

- 1990, or of any provision listed in Section 16590.
- (4) If the defendant is in a prohibited class described in Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title, or Section 8100 or 8103 of the Welfare and Institutions Code.
- (5) A violation of this article by a person who actively participates in a "criminal street gang" as defined in Section 186.22.
- (6) A violation of Section 27510 involving the delivery of any firearm to a person who the dealer knows, or should know, is a minor.
- (c) If any of the following circumstances apply, a violation of this article shall be punished by imprisonment in a county jail not exceeding one year or pursuant to subdivision (h) of Section 1170, or by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment.
 - A violation of Section 27515, 27520, or subdivision (b) of Section 27500.
 - (2) A violation of Section 27505 involving the sale, loan, or transfer of a handgun to a minor.
 - (3) A violation of Section 27510 involving the delivery of a handgun.
 - (4) A violation of subdivision (a), (c), (d), (e), or (f) of Section 27540 involving a pistol, revolver, or other firearm capable of being concealed upon the person.
 - (5) A violation of Section 27545 involving a handgun.
 - (6) A violation of Section 27550.

- (d)

 If both of the following circumstances apply, an additional term of imprisonment pursuant to subdivision (h) of Section 1170 for one, two, or three years shall be imposed in addition and consecutive to the sentence prescribed.
 - A violation of Section 27510 or subdivision
 of Section 27500.
 - (2) The firearm transferred in violation of Section 27510 or subdivision (b) of Section 27500 is used in the subsequent commission of a felony for which a conviction is obtained and the prescribed sentence is imposed.
- (e) (1) A first violation of Section 27535 is an infraction punishable by a fine of fifty dollars (\$50).
 - (2) A second violation of Section 27535 is an infraction punishable by a fine of one hundred dollars (\$100).
 - (3) A third or subsequent violation of Section 27535 is a misdemeanor.
 - (4) For purposes of this subdivision each application to purchase a handgun in violation of Section 27535 shall be deemed a separate offense.

Source:

(last accessed September 5, 2011).

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Home > California > Codes > Penal Code > Control of Deadly Weapons > Firearms > Sale, Lease, or Transfer of Firearms > Proc. for a Private Party Firearms Transaction

California Penal Code

28050
28055
28060
28065
28070

Section 28050

- (a) A person shall complete any sale, loan, or transfer of a firearm through a person licensed pursuant to Sections 26700 to 26915, inclusive, in accordance with this chapter in order to comply with Section 27545.
- (b) The seller or transferor or the person loaning the firearm shall deliver the firearm to the dealer who shall retain possession of that firearm.
- (c) The dealer shall then deliver the firearm to the purchaser or transferee or the person being loaned the firearm, if it is not prohibited, in accordance with Section 27540.
- (d) If the dealer cannot legally deliver the firearm to the purchaser or transferee or the person being loaned the firearm, the dealer shall forthwith, without waiting for the conclusion of the waiting period described in Sections 26815 and 27540, return the firearm to the transferor or seller or the person loaning the firearm. The dealer shall not return the firearm to the seller or transferor or the person loaning the firearm when to do so would constitute a violation of Section 27500, 27505, 27515, 27520, 27525, 27530, or 27535. If the dealer cannot legally return the firearm to the transferor or seller or the person loaning the firearm, then the dealer shall forthwith deliver the firearm to the sheriff of

News Related

the county or the chief of police or other head of a municipal police department of any city or city and county, who shall then dispose of the firearm in the manner provided by Sections 18000, 18005, and 34000.

Source:

(last accessed September 5, 2011).

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§ 504. Officers and deputies, etc., of state, political subdivisions, public or private corporations, societies, or associa-

Every officer of this state, or of any county, city, city and county, or other municipal corporation or subdivision thereof, and every deputy, clerk, or servant of that officer, and every officer, director, trustee, clerk, servant, or agent of any association, society, or corporation (public or private), who fraudulently appropriates to any use or purpose not in the due and lawful execution of that person's trust, any property in his or her possession or under his or her control by virtue of that trust, or secretes it with a fraudulent intent to appropriate it to that use or purpose, is guilty of embezzlement. (Enacted 1872. Amended by Code Am. 1880, c. 42, p. 8, § 4; Stats. 2002, c. 787 (S.B. 1798), \$ 13.1

Cross References

Conviction as ground for revocation of, County teaching certificate, see Education Code § 44435.

Teaching credential, see Education Code § 44424

Conviction of felony, ineligibility as elector, see Const. Art. 2, § 4. Destruction or falsification of corporate records, see Corporations Code

§ 2255. Embezzlement construed as theft, see Penal Code § 490a.

Fraudulent appropriation of property by person to whom entrusted, see

Penal Code § 484. Ineligibility of embezzlers to public office, see Penal Code §§ 424, 514; Government Code § 1021

Intent.

Manifestation, see Penal Code § 21.

Sufficiency to defraud, see Penal Code § 8.

Limitation of prosecutions, embezzlement of public funds, see Penal Code \$\$ 799, 800.

Probation, public officer embezzling public funds, see Penal Code § 1203. Public officers,

Diversion of salary or fees by superior, see Government Code § 1195. Misappropriation of public funds, see Penal Code § 424.

Receiving or possessing corporate property with intent to defraud, see Corporations Code § 2255.

Research References

- 2 Witkin Cal. Crim. L. 3d Crimes Against Property § 29, (S 29) Illustrations
- Witkin Cal. Crim. L. 3d Crimes Against Property § 37, (S 37)
- Embezzlement by Public Officer or Employee.

 Witkin Cal. Crim. L. 3d Crimes Against Property § 39, (S 39)

 Embezzlement Distinguished.
- 1 Witkin Cal. Crim. L. 3d Defenses \$ 216, (S 216) Express or Implied Waiver
- 4 Witkin Cal. Crim. L. 3d Pretrial Proceedings § 187, Conspiracy.

§ 504a. Fraudulent removal, concealment or disposal of personal property under lease, conditional sale or vendor's lien

Every person who shall fraudulently remove, conceal or dispose of any goods, chattels or effects, leased or let to him by any instrument in writing, or any personal property or effects of another in his possession, under a contract of purchase not yet fulfilled, and any person in possession of such goods, chattels, or effects knowing them to be subject to such lease or contract of purchase who shall so remove, conceal or dispose of the same with intent to injure or defraud the lessor or owner thereof, is guilty of embezzlement. (Added by Stats. 1917, c. 180, p. 273, \$ 1.)

Cross References

Embezziement construed as theft, see Penal Code § 490a. Intent,

Manifestation, see Penal Code 5 21.

Sufficiency to defraud, see Penal Code § 8. Mortgaged or encumbered property, removal of structures, improvements or fixtures as theft, see Penal Code § 502.5.

Sale of goods in general, see Commercial Code § 2204 et seq. Severing and removing fixtures or parts of realty as theft, see Penal Code

Vendor's lien, see Civil Code § 3046.

Research References

- 2 Witkin Cal. Crim. L. 3d Crimes Against Property § 27, (\$2) of Embezzlement.
- 2 Witkin Cal. Crim. L. 3d Crimes Against Property [1] Illustrations.
- 2 Witkin Cal. Crim. L. 3d Crimes Against Property \$ 200,h Property Transactions.
- § 504b. Sale of property covered by security agrees failure to pay secured party and appropriation di to own use; punishment

Where under the terms of a security agreement, as paragraph (73) of subdivision (a) of Section 910 Commercial Code, the debtor has the right to sell the covered thereby and is to account to the secured part pay to the secured party the indebtedness secured by the agreement from, the proceeds of the sale of any of the and where the debtor, having sold the property come security agreement and having received the proceeds willfully and wrongfully, and with the intent to defaul pay to the secured party the amounts due under the agreement, or the proceeds of the sale, whichever is amount, and appropriates the money to his or her on debtor shall be guilty of embezzlement and shall be as provided in Section 514. (Added by Stats. 1963, c. 3100, § 1. Amended by Stats. 1967, c. 189, p. 15 Stats. 1999, c. 991 (S.B.45), § 53.2, operative July 1

Research References

- 2 Witkin Cal. Crim. L. 3d Crimes Against Property § 20, ha
- 2 Witkin Cal. Crim. L. 3d Crimes Against Property \$ 27, (\$1)

§ 505. Carrier or individual transporting property far money at taking of decede. TATION, FOR HIRE GUILTY OF EMBEZZIEMENT. Every came of the property for state of the property for the purpose of transportation for hire, who fraudulently must of sales by commutes it to any use or purpose inconsistent with the sale coast property and its transportation according to the purpose of transportation according to the coast property and its transportation according to the coast property and the coast property and its transportation according to the coast property and the coast property and the coast property and the coast property and the coast property are coast property and the coast property are coast property and the coast property and the coast property and the coast property according to the coast property and the coast property according to the coast property such property and its transportation according to be property, citation for guilty of embezzlement, whether he has broken the guilty of embezzlement, whether he has broken the which such property is contained, or has otherwise sept items thereof, or not. (Enacted 1872.)

Cross References

Carriage of property in general, see Civil Code § 2110 et sec. Embezziement construed as theft, see Penal Code § 490a. Intent,

Manifestation, see Penal Code § 21. Sufficiency to defraud, see Penal Code § 8.

Research References

- 2 Witkin Cal. Crim. L. 3d Crimes Against Property | 1 Illustrations.
- § 506. Person controlling or intrusted with property and in Section 506, ar er; misappropriations; payment of laborers and men as use of contract price

Every trustee, banker, merchant, broker, attems assignee in trust, executor, administrator, or collector, otherwise intrusted with or having in his control prop use of any other person, who fraudulently appropriate use or purpose not in the due and lawful execution of his secretes it with a fraudulent intent to appropriate it is or purpose, and any contractor who appropriates mor him for any use or purpose, other than for that whichk it, is guilty of embezzlement, and the payment of lake materialmen for work performed or material furnish performance of any contract is hereby declared to be to purpose to which the contract price of such contract, or thereof, received by the contractor shall be applied.

Amended by Stats. (a) 1090, § 1.)

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Wilden Cal. Crim. L. 3d (Collector of ac tion and punishment person who, acting about a business con disting by another person Code, shall be prosecuted, tried, with law; and "coll or who has in his not property or mor ner in his or her own riv or money, or ot orbon thereof, and n use, or the use of non entitled thereto ortion thereof, or in

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and lawful exec 1917, c. 603, p. 931,

EXHIBIT D

TURNER'S OUTDOORSMAN

Printed Date: 12/18/10

12/10/10

Time: 4:29:46?M

Invoice 004020

Seller:

Turner's Operations Inc-004 357 N Azusa Avenue West Covina, California 91791 626-858-8948 Purchaser:

ACC0040200974

D.O.B.:

8/20/87

CA Driver's License

				CA Differs Diceine	
- F.	Salesperson	Sold Date	Minimum Deposit	Carlomer P	hone Number
Ruel R		12/18/10	\$ 371.32	951 288	
Quantity	10	Mujerini je	prior	wall Miss	Extended Price
1	040605 - Kimber Tactic	al Custom II .45AC	P	\$1,099.98	\$1,099.98
	DROS#:	SERI	AL#: K317295		
	4473#: 04-37845	4473	Date:		
1	001267 - DOJ D.R.O.S.	Fee		\$19.00	\$19.00
1	028149 - DOJ Safety Fe	e		\$1.00	\$1.00
1	030862 - DOJ Eq Fee			\$5.00	\$5.00
1	028150 - Turner's Hand	ling Fee		\$5.00	\$5.00
			3	*	SED

- CALIFORNIA STATE LAW REQUIRES -

f this transaction is cancelled for any reason, purchaser agrees to pay a cancellation fee in the amount of []\$50 or			of Product r Interstore Transfer Warehouse Stock	
will be deducted from any deposit purchase price including fees and In the event that this layaway is a	thever is greater; or [] 50% of the purch is applied to this transaction. This layaway taxes is not paid in full and the merchandis ancelled, any refunds totaling \$150 or more	will be considered cancelled if the total se not picked up by the specified date.	SubTotal Sales Tax	\$1,129.98 \$107.74
Please allow two weeks for proces The nurchaser further agrees to the			Total	\$1,237.72
The purchaser further agrees to the following items: 1) All firearm and ammunition sales are final; there will be no refunds or exchanges. 2) No express or implied warranties are given by Turner's Outdoorsman and no affirmation of Turner's		Canc	ellation Fee:	
employees, by words or actions sh merchandise rests with the purcha	hall constitute a warranty. The entire risk a user. Should the merchandise prove defecti	s to the quality and performance of the ve following the purchase, the purchaser	\$	
consult packaging or instructions				Initials
3) DROS fees are not refund	for details.	iated.	Final Layawa	Initials ay Date: 1/17/11
Agreed: (Signature Waiting period will not beg	for details. dable once the DROS process has been init Date: of Purchaser) gin until this invoice is paid in full. charged additional D.R.O.S. fees, a ld-bl-cost Sicular Earliest Pickup Date	isted. If your firearm is not picked up this and wait an additional 10 days		ay Date: 1/17/11
Agreed: (Signature Waiting period will not beg D.R.O.S. date, you will be	for details, dable once the DROS process has been init Date: of Purchaser) gin until this invoice is paid in full, charged additional D.R.O.S. fees, a	isted. If your firearm is not picked up this and wait an additional 10 days	irty (30) days	ay Date: 1/17/11

"D: SOOP FROM: CLETS 3PAOSOOPL.IG _A0197000 RE: SER/K317295 RESPONSE TO QGB INQUIRY

09/26/12 08:32:47

ATA IN AFS.

* DROS - DEALER SALE 3R/K317295 MAK/KIE KIMBER CAL/45 (P/PI PISTOL SEMI-AUTOMATIC MOD/TACTCUSTO DOT/20101218 BBL/5

*** PURCHASER INFORMATION ***

CN/3071035800222

THECKING NCIC ND AFS RESPONSE.

学

EXHIBIT E

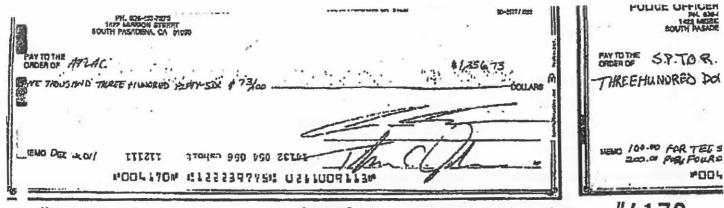
Received
SEP 2.5 2017
CHIEF'S OFFICE

EXHIBIT F

Moore, Rodney	К.			
From: Sent: To: Subject:	Thursday, March 1 Moore, Rodney K. FW:			5
	*			2
Subject: RE: Date: Tue, 29 Nov 2 From: To:	011 03:00:30 -0800			
cause. I went onto t	natter to the POA board membe he web-site you provided (<u>www</u> provide the information in order	angelshaven.org), how	ever I could not find the I	ink to make a
Thank you,	- 4			
Cralg Cooper SPPOA			÷ 9.	
From: Sent: Thursday, Nov To: Craig Cooper Subject:	vember 24, 2011 2:25 AM			
November 24, 2011	**	÷	ře	+
Dear Sergeant Craig Co	oper:			
the past generosity of	nopes that the South Pasadena Poli the Association, we were able to tr we are forever grateful for what you	ravel to Boston to get our	r son, Tyler, lifesaving medic	cation. Since that trip,
pursuing his adoption. Russia, where he had ladoption volunteers a is nothing wrong with orphanages to institut ages of seventeen and	ound a little boy who is an orphan and his name is "boy who is an orphan and his name is "boy who is an orphan and his surgery last summer. Though his finding reasons to hold him becathin, psychologically speaking. It's ions once they reach their fourth but they receive little care. The childre tionalized. They are kept in beds, to	t turned four years old. e should have been dischause once he is discharge an unfortunate truth tha lithdays. In the institution en are believed to be "ur	is currently in a honored from the hospital lor d, he will be sent to a "men at all disabled orphans are trons, the children are mixed in adoptable" by age four and	ospital in Moscow, ing ago, the nurses and tal institution". There ransferred from in with others up to the dare essentially
that he has leg weakn our care he will. He has therapies with him. To which is where	th his legs, much like does. Theses. A Russian orthopedic surgeon as never received any physical them hough is not officially our oes for his equine therapy (horseb). We are veterans, so to speak, when	stated that stated "she apy and the orphanage s child, we have already plack riding). In fact, comp	ould be walking in no time" taff is nowhere near qualific aced him on the walting list bared to	and we believe that in ed to perform any

At this time, we are fundraising so we can complete adoption. We are trying to fundraise quickly, so he will not be transferred to an institution. Once Khariton is home, we will have no problems with providing for him, however, international adoption is expensive and we need to fundraise for it. We are required to make three trips to Moscow to meet the requirements for the adoption. In total, we need roughly \$30,000, which includes all of the adoption fees. For now, we are hoping to raise \$2,500 for our homestudy fee, which is being conducted by "Angels' Haven" (www.angelshaven.org A nonprofit organization). Any donation can be made directly to "Angels' Haven" and is tax deductible. Of course, donations can be made directly to our family if that is preferable. Once the homestudy is completed, we will be eligible for adoption grants, and we will be on our way to rescue
We are respectfully asking for the South Pasadena Police Officers' Association's help. As mentioned, we are saving a child's life by giving him a loving family in the greatest country in the world. We are experienced parents and believe that there is nothing that suffers from that we cannot conquer. We have always wanted more children and when we saw Khariton's picture, we instantly knew that he should be our son and Tyler's much-wanted brother.
We have attached some photos of for you to see and one of the just for kicks!
Thank you very much for your time and consideration.
Sincerely,

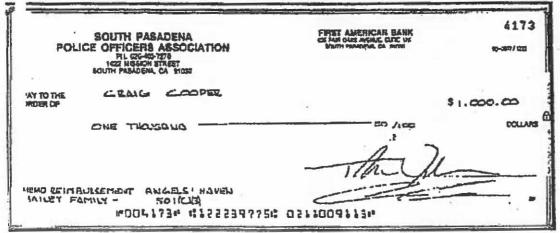
EXHIBIT G



#4170 Posted 11/22/11

\$1,356.73

#4172



#4173

Posted 11/29/11

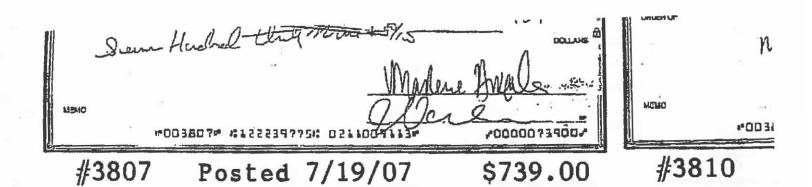
\$1,000.00

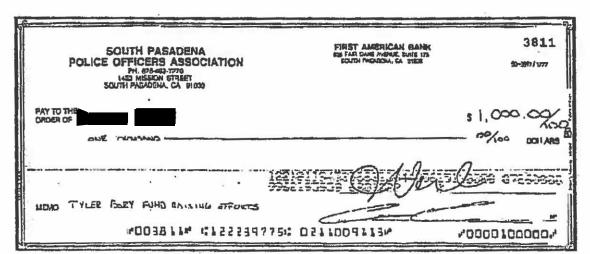
Check Register

South Pass 2/15/2013	adena F	Police Officers Assoc.				Page 6
Date	Num	Transaction	Payment	С	Deposit	Balance
11/16/2011	4168	Void cat: Charity:Funeral Gifts memo:				19,778.39
11/16/2011	4169	cat: Roimbursement memo: AFLAC dues reduction	9.90	¢		19,768.49
11/16/2011	4170	AFLAC cat: Insurance memo: December 2011	1,356.73	С		18,411.76
11/16/2011	4171	CLEA cat: Insurance memo: December Billing	604.50	С		17,807.26
11/18/2011	4172	South Pasadena Tournement Of Roses cat: Charity:Golf Tournament	300.00	C	(4)	17,507.26
11/29/2011	4173	Craig Cooper cat: Charity:Donation memo: Angels's Haven reimburse cooper	1,000.00	С		16,507.26
/29/2011	4179	cat: Banquet memo: gifts for christmas banquet	239.85	С		16,267.41
11/30/2011	DEP	Interest Earned cat: Interest Inc		C	0.14	16,267.55
12/29/2011	4176	Cralg Cooper cat: Banquet memo: Chirstmas banquet DJ	500.00	С		15,767.55
12/29/2011	4177	F.A.S.T cat: Donations memo: Christmas Fund 2011	250.00	C		15,517.55
12/29/2011	4178	cat: Banquet memo: Christmas TV giveaway	880.00	С		14,637.55
12/29/2011	4180	Mijares Mexican Restaurant cat: Banquet memo: chirstmas banquet	3,000.00	С		11,637.55
12/30/2011	DEP	Dues&Ins cat:SPLIT		¢	5,223,93	16,861.48
12/30/2011	DEP	Interest Earned cat: Interest Inc		С	0.13	16,861.61

EXHIBIT H

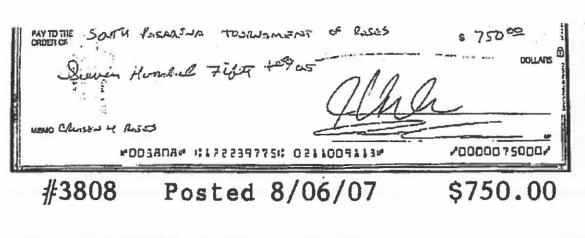
PROFILE	MENO SPPOA TOU Spons or (golf townsmit)
L	3589 07/01/2005
	SOUTH PASADENA FIRST AMERICAN BANK 3593 POLICE OFFICERS ASSOCIATION SOUTH PASADENA, CA BYOST
	ONE THOUSAND DOLLARS AND NOTHE
DB0000 1000	MENO DAM DOLLING ::122239?75:: D211009113P /0000100000/
	3593 07/15/2005
6	SOUTH PASADENA POLICE OFFICERS ASSOCIATION PH 525-403-7270 1422 MISSION STREET SOUTH PASADENA, CA 91000 PAY TO THE CRUER OF CRUER OF SOUTH PASADENA, CA 91000 PAY TO THE CRUER OF SOUTH PASADENA, CA 91000 SOUTH PASADENA SOUTH PASAD
1781 05000	Three hundred of 00/100 Falans of the homodred of 00/100 Falans of 00/1



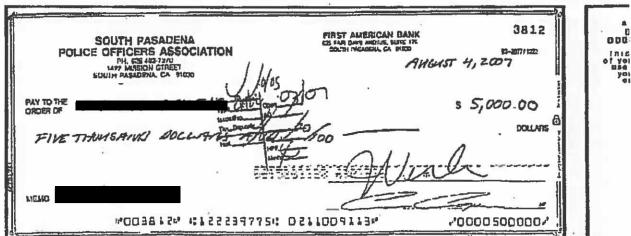


#3811 Posted 7/27/07

\$1,000.00



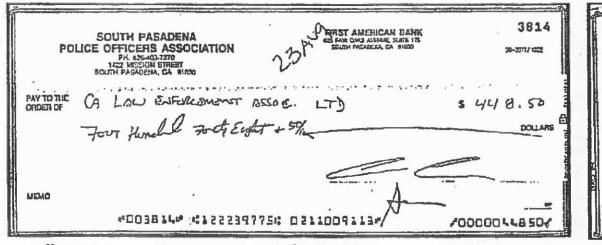




#3812 Posted 8/07/07

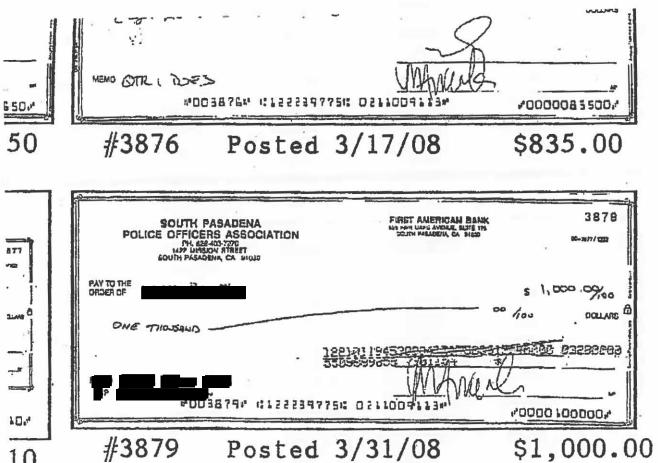
\$5,000.00

PAY TO ORDER



#3814 Posted 8/21/07

\$448.50



10

Posted 3/31/08

\$1,000.00

H PASADENA CERS ASSOCIATION SIGNO-707 WHICH STREET STOCKA: CA 191000	FIRST AMERICAN DANK OR RAW OARD ANNAL, MAIN TO OCUM PAROSEE DA 11030	4170	РОПСЕ
HUMBED HERY-SIX 473/0		1/35 6 73	PAY TO THE S.T.
IIIZII JYNUAN 990 VO			WEMO /60.00 /

#4170 Posted 11/22/11 \$1,356.73 #417

SOUTH PASADENA POLICE OFFICERS ASSOCIATION PIL 024-0278 102 USEON STREET	FIRST AMERICAN BANK SIS RATI DAIS ANCIAL DUTE 176 SOLUTY PROPOSITION, CA. INCOME.	4173 90-38771222
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CHE THOUSAND	E0 /100	DOLLAR
T	1/2 /	
MEMO CEMBURSEMENT ANGELS HAVEN 501(C)(3) #C04173# #112223977	75% D211009113°	

#4173 Posted 11/29/11 \$1,000.00

EXHIBIT I

Brian Solinsky

From:

Sent:

Friday, September 21, 2012 6:17 PM

Mo: Brian Solinsky

3Subject:

FW. POA Xmas party itemized expenditure list

!From: Craig Cooper

Sent: Monday, January 09, 2012 9:04 PM

To:

Subject: POA Xmas party itemized expenditure list

- 1) \$810.00 Sony Family Center 46" TV
- 2) \$1,000.00 Kimber 45cal. handgun (Craig Cooper)*
- 3) \$250.00 The Flame Broiler (10 \$25 gift cards)*
- 4) \$85.91 G-shock wristwatch Vana Watch & Jewelry (Craig Cooper)*
- 5) \$500.00 DJ services (Craig Cooper)*
- 6) \$3,000.00 Mijares Mexican Restaurant
- 7) \$250.00 Movie tickets

Total \$5895.91

*initial purchase using personal funds and reimbursed by POA (by check)

Can you give me a budget update after the above expenditures are calculated?

Thanks,

Cooper

EXHIBIT J

Jim Valencia

From: Sent: Angels Haven [adopt@angelshaven.org] Tuesday, October 02, 2012 3:49 PM

To:

Jim Valencia

Subject:

Hello Officer Valencia,

Sorry for the delay, but in looking up the information you wanted here is what I have found:

mentioned the Pasadena Police Department would be helping with their payment in about October or November, 2011. She called several times over a few months asking if we had received it. We informed her we had not.

12/13/11 - Craig Cooper called and asked if he could make the donation via credit card. We sent him the credit card information on 12/13/11 to We have no email from him at any point and the only correspondence was the one phone call with him.

1/9/12

We received an email from the family stating:

"I just spoke with Craig Cooper. He told me that the request for funds has been sent to "the Board". Apparently, they're in the process of converting their Police Officers' Association to a 501c charity and now have a board to approve everything. As you know, we were already told that we were approved, but Craig said that there shouldn't be any problems with it. I forgot to ask how long it would take"

At some point after that and I don't recall the date or have notes about it, but the family said they received a text from Mr. Cooper that he could not send fund because the money was going to a police officer that was killed at the shooting range.

That was the last of our conversation about this.

I hope this is helpful and I let the family know you would like them to contact you.

Thank you!



From: Sent: To: Subject: Angels Haven [adopt@angelshaven.org] Wednesday, October 03, 2012 7:25 AM

Jim Valencia Re:

We don't have that because all she did was go in to our pay pal account which then sends him an invoice for the amount being paid, so it was not a direct email actually. I can see if I can pull the invoice itself up if that helps? As for the email from the family, let - me just make sure it is ok with them. What I sent you was exactly what it said.

I will check with them for a release to email it to you! On 10/3/2012 6:13 AM, Jim Valencia wrote: > Do you or have the "sent" email to Cooper re the credit card > payment? > Jim Valencia > ----Original Message----> From: Angels Haven [mailto:adopt@angelshaven.org] > Sent: Tuesday, October 02, 2012 3:49 PM > To: Jim Valencia > Subject: > Hello Officer Valencia, - > is what I have found:

> Sorry for the delay, but in looking up the information you wanted here

mentioned the Pasadena Police Department would be > helping with their payment in about October or November, 2011. She - > called several times over a few months asking if we had received it. > We informed her we had not.

> 12/13/11 - Craig Cooper called and asked if he could make the donation > via credit card. We sent him the credit card information on 12/13/11

> We have no email from him at any point and the only correspondence was > the one phone call with him.

_ > 1/9/12

> We received an email from the family stating:

> "I just spoke with Craig Cooper. He told me that the request for > funds has been sent to "the Board". Apparently, they're in the process -- > of converting their Police Officers' Association to a 501c charity and > now have a board to approve everything. As you know, we were already > told that we were approved, but Craig said that there shouldn't be any > problems with it. I forgot to ask how long it would take"

> At some point after that and I don't recall the date or have notes > about

> it, but the family said they received a text from Mr. Cooper that he > could not send fund because the money was going to a police officer > that

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> was killed at the shooting range.
> That was the last of our conversation about this.
> I hope this is helpful and I let the family know you would like them > to contact you.
> Thank you!
```



From: Sent: Angels Haven [adopt@angelshaven.org] Wednesday, October 03, 2012 7:19 AM

To: Subject: Jim Valencia Ref

Thanks for letting me know! I did leave a message for the to please contact you. I did not leave them any details just to call you. They are a bit overwhelmed with a child that is really sick and in and out of the hospital, so they might not respond very fast.

```
On 10/3/2012 5:44 AM, Jim Valencia wrote:
> Thank you, Just a heads up, the investigation is going to handled by an outside agency so you may be getting calls from them.

Also, have you heard from the as to whether or not they would
> Also, have you heard from the as to whether or not they would being asked some questions? Yesterday I went to the address we
> have on record for them and left my card, but I haven't heard from them.
> Thanks again for help,
> Det. Sgt. Jim Valencia
> ----Original Message----
> From: Angels Haven [mailto:adopt@angelshaven.org]
> Sent: Tuesday, October 02, 2012 3:49 PM
> To: Jim Valencia
> Subject:
> Hello Officer Valencia,
> Sorry for the delay, but in looking up the information you wanted here
> is what I have found:
               mentioned the Pasadena Police Department would be
> helping with their payment in about October or November, 2011. She
> called several times over a few months asking if we had received it.
> We informed her we had not.
> 12/13/11 - Craig Cooper called and asked if he could make the donation
> via credit card. We sent him the credit card information on 12/13/11
> We have no email from him at any point and the only correspondence was
> the one phone call with him.
> 1/9/12
> We received an email from the family stating:
> "I just spoke with Craig Cooper. He told me that the request for
> funds has been sent to "the Board". Apparently, they're in the process
> of converting their Police Officers' Association to a 501c charity and
> now have a board to approve everything. As you know, we were already
> told that we were approved, but Craig said that there shouldn't be any
> problems with it. I forgot to ask how long it would take"
> At some point after that and I don't recall the date or have notes
> about
> it, but the family said they received a text from Mr. Cooper that he
> could not send fund because the money was going to a police officer
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> that
>
> was killed at the shooting range.
> That was the last of our conversation about this.
> I hope this is helpful and I let the family know you would like them
> to contact you.
> Thank you!
```



Jim Valencia

From:

Jim Valencia

Sent:

Wednesday, October 03, 2012 5:44 AM

To:

'Angels Haven'

Subject:

RE

Thank you, Just a heads up, the investigation is going to be handled by an outside agency so you may be getting calls from them. Also, have you heard from the as to whether or not they would mind being asked some questions? Yesterday I went to the address we have on record for them and left my card, but I haven't heard from them.

Thanks again for help,

Det. Sgt. Jim Valencia

----Original Message----

From: Angels Haven [mailto:adopt@angelshaven.org]

Sent: Tuesday, October 02, 2012 3:49 PM

To: Jim Valencia Subject:

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At some point after that and I don't recall the date or have notes about it, but the family said they received a text from Mr. Cooper that he could not send fund because the money was going to a police officer that was killed at the shooting range.

That was the last of our conversation about this.

I hope this is helpful and I let the family know you would like them to contact you.



Jim Valencia

From:

Jim Valencia

Sent:

Wednesday, October 03, 2012 6:14 AM

To:

'Angels Haven'

Subject:

RE:



Do you or have the "sent" email to Cooper re the credit card payment?

Jim Valencia

----Original Message----

From: Angels Haven [mailto:adopt@angelshaven.org]

Sent: Tuesday, October 02, 2012 3:49 PM

To: Jim Valencia Subject:

Hello Officer Valencia,

Sorry for the delay, but in looking up the information you wanted here is what I have found:

mentioned the Pasadena Police Department would be helping with their payment in about October or November, 2011. She called several times over a few months asking if we had received it. We informed her we had not.

12/13/11 - Craig Cooper called and asked if he could make the donation via credit card. We sent him the credit card information on 12/13/11 to come was the one phone call with him.

1/9/12

We received an email from the family stating:

"I just spoke with Craig Cooper. He told me that the request for funds has been sent to "the Board". Apparently, they're in the process of converting their Police Officers' Association to a 50lc charity and now have a board to approve everything. As you know, we were already told that we were approved, but Craig said that there shouldn't be any problems with it. I forgot to ask how long it would take"

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That was the last of our conversation about this.

I hope this is helpful and I let the family know you would like them to contact you.



Jim Valencia

From:

Jim Valencia

Sent:

Wednesday, October 03, 2012 6:25 AM

To:

'Angels Haven'

Subject:

RE:

Sorry a, I have one more request. Do you have the email the sent you on 01/09/12?

----Original Message----

From: Angels Haven [mailto:adopt@angelshaven.org]

Sent: Tuesday, October 02, 2012 3:49 PM

To: Jim Valencia Subject:

Hello Officer Valencia,

Sorry for the delay, but in looking up the information you wanted here is what I have found:

mentioned the Pasadena Police Department would be helping with their payment in about October or November, 2011. She called several times over a few months asking if we had received it. We informed her we had not.

12/13/11 - Craig Cooper called and asked if he could make the donation via credit card. We sent him the credit card information on 12/13/11 to .com We have no email from him at any point and the only correspondence was the one phone call with him.

1/9/12

We received an email from the family stating:

"I just spoke with Craig Cooper. He told me that the request for funds has been sent to "the Board". Apparently, they're in the process of converting their Police Officers' Association to a 501c charity and now have a board to approve everything. As you know, we were already told that we were approved, but Craig said that there shouldn't be any problems with it. I forgot to ask how long it would take"

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That was the last of our conversation about this.

I hope this is helpful and I let the family know you would like them to contact you.



EXHIBIT K

INVOICE

Angels' Haven Outreach 818 Grayson Road, Ste. 200 Pleasant Hill, CA 94523 United States

Phone: 925-788-6992

adopt@angelshaven.org

Invoice number	9
Invoice date	12/13/2011
Payment terms	Due on receipt
Due date	12/13/2011

Bill To craigcooper1968@yahoo.com

Date	Description	Quantity	Unit price	Amoun
12/13/2011	Homestudy	1	\$1,000.00	\$1,000.00
Note to reci	plent or the donation to	Subtotal		\$1,000.00

Moore, Rodney K.

From:

Angels Haven <adopt@angelshaven.org>

Sent:

Thursday, November 15, 2012 1:43 PM

To: Subject: Moore, Rodney K.

Attachments:

Adoption Donation Cooper Invoice.pdf

Hello Officer Moore,

Here is some info for you. The email you wanted is a little difficult because all as we did was email an invoice from out pay-pal account.

I am attaching it for you here and have crossed out the family name due to confidentiality, but this was what through the pay pal account.

INFO:

Family mentioned the Pasadena Police Department would be helping with their payment in about October or November, 2011. She called several times over a few months asking if we had received it. We informed her we had not.

12/13/11 - Craig Cooper called and asked if he could make the donation via credit card. We sent him the credit card information on 12/13/11 to We have no email from him at any point and the only correspondence was the one phone call with him.

1/9/12

We received an email from the family stating:

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At some point after that and I don't recall the date or have notes about it, but the family said they received a text from .Mr. Cooper that he could not send funds because the money was going to a police officer that was killed at the shooting range.

. hope this is helpful!



EXHIBIT L

ASSOCIATION FUNDS 9/25 CALLED INTO CHEEFS OFFICIE 9/25 P 1:00 PM ASKED WHAT WE KNEW WHO ELSE KNEW? DRDERED NOT TO SPEAK ABOUT INCEDENT, TRUKED ABOUT POSSIBLITY OF POOR BUCKKEFFING BY THE ASSOCIATION, POSSIBLY COOPER WAS BEING REFUNDED FOR
CALLED TO CHEEF'S OFFICIE 9/25 @ 1:00 PM ASKED WHAT WE KNEW WHO ELSE KNEW? ORDERED NOT TO SPEAK ABOUT TOCEDENT, TOURED ABOUT POSSEDITY OF BOOK BOOKKEFFING BY THE ASSOCIATION,
CALLED TO CHEEFS OFFICIE 9/25 @ 1:00 PM ASKED WHAT WE KNEW WHO ELSE KNEW? ORDERED NOT TO SPEAK ABOUT TOCEDENT, TOLICED ABOUT POSSEDITY OF POOR BUNKKEFFING BY THE ASSOCIATION,
ASKED WHAT WE KNEW WHO ELSE KNEW? ORDERED NOT TO SPEAK ABOUT TOCEDENT, TOUCED ABOUT POSSEDITY OF POOR BUNKKEFFING BY THE ASSOCIATION,
PROERED NOT TO SPEAK ABOUT FINEDENT, TRUCED ABOUT POSSERLITY OF POOR BUNKKEFFING BY THE ASSOCIATION,
BY THE ASSOCIATION,
BY THE ASSOCIATION,
BY THE ASSOCIATION,
GUN BY RAFFLE TICKETS
MORE GNEEDIED ABOUT ASSOC MEMBERS
LNOWING WHATS GOIN ON.
9/2 Cooper CHLLS In Family Stal Approx 30
MINITES AFTER CHEETS MEETING?
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ANGELS HAVES

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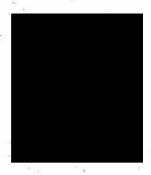
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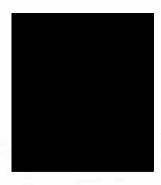


EXHIBIT M

EXHIBIT N

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH

INTERVIEWED BY STEVE RODIG

INTERNAL AFFAIRS INVESTIGATION

JUNE 15, 2013 @ 6:32 PM AT SOUTH PASADENA POLICE DEPARTMENT

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC Post Office Box 29798 Anaheim Hills, California 92809-9798 (714) 779-2300

TRANSCRIPTION OF INTERVIEW WITH

SOUTH PASADENA POLICE DEPARTMENT

06-15-13

SR: Okay, we're on the record. Today's date is June 15th, 2013. The time is approximately 6:32 PM. We're present at the Pasadena, South Pasadena Police Department. My name is Steve Rodig from RCS Investigations and Consulting and our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Police Association funds and the sale and/or transfer of a personal firearm during the time frame of December, 2011. This interview is being recorded. You are deemed a witness only. If at any time during the interview you believe your status of witness changes to that of a subject, advise me immediately and we will stop the interview pursuant to the Peace Officers Bill of Rights. I have been authorized by Chief Miller to conduct this investigation and admonish those involved to answer questions fully and truthfully and do you understand the admonishment?

subject, advise me immediately and we will stop the interview pursuant to the Peace Officers Bill of Rights. I have been authorized by Chief Miller to conduct this investigation and admonish those involved to answer questions fully and truthfully and do you understand the admonishment?

Yeah.

SR: Okay, and did you receive a written notice from the South Pasadena Police Department directing you to participate in this administrative investigation?

Yeah.

SR: And will you state your name and spell it please.

SR: And how long have you been employed by the South Pasadena Police Department and what is your position?

Over five years and I'm currently a police officer.

SR: And are South Pasadena police officers expected to avoid illegal behavior on or off duty?

SR: Are South Pasadena police officers expected to conduct themselves in a manner as to not bring discredit upon themselves or the department while they're on or off duty?

Yeah.

	Yeah.
SR:	And are you a member of the South Pasadena Police Association?
	Yeah.
SR: directo	And are you a member of the South Pasadena Police Association board of ors?
	No.
SR: directo	Were you previously a member of the South Pasadena Police Officers board of ors?
	Yeah.
SR: that po	And what was your position and can you describe the time frame that you held sition.
2010 o	I was the treasurer. I believe I began in 2000, I'm not, I don't remember if it was or 2011 but I, I resigned in, I don't even remember when I resigned. I resigned round the time the sheriff's investigation began so whenever that began was when I
resigne	cu.
SR:	I believe that was in 2012.
_	
SR:	I believe that was in 2012.
SR:	I believe that was in 2012. Yeah, when the new board came on, I resigned, yeah. Okay, so in 2011 and parts of 2012, you did serve in the capacity as the treasurer
SR: SR: at the S	I believe that was in 2012. Yeah, when the new board came on, I resigned, yeah. Okay, so in 2011 and parts of 2012, you did serve in the capacity as the treasurer South Pasadena Police Association, correct?
SR: SR: at the S	I believe that was in 2012. Yeah, when the new board came on, I resigned, yeah. Okay, so in 2011 and parts of 2012, you did serve in the capacity as the treasurer South Pasadena Police Association, correct? Correct. And were you on the board and serving as the treasurer during the time frame of
SR: at the SSR: Novem	I believe that was in 2012. Yeah, when the new board came on, I resigned, yeah. Okay, so in 2011 and parts of 2012, you did serve in the capacity as the treasurer South Pasadena Police Association, correct? Correct. And were you on the board and serving as the treasurer during the time frame of other and December of 2011?
SR: at the SSR: Novem	Yeah, when the new board came on, I resigned, yeah. Okay, so in 2011 and parts of 2012, you did serve in the capacity as the treasurer South Pasadena Police Association, correct? Correct. And were you on the board and serving as the treasurer during the time frame of other and December of 2011? Yes, I was. And are South Pasadena Police Association board members bound by established
SR: at the SSR: Novem	Yeah, when the new board came on, I resigned, yeah. Okay, so in 2011 and parts of 2012, you did serve in the capacity as the treasurer South Pasadena Police Association, correct? Correct. And were you on the board and serving as the treasurer during the time frame of other and December of 2011? Yes, I was. And are South Pasadena Police Association board members bound by established as which govern membership and expenditures?

SR: Do the South Pasadena Police Association by-laws require that expenditures not previously approved and ratified in the annual budget and exceed the amount of \$500 shall require the approval by the majority vote of the membership?
I don't have personal knowledge of that.
SR: Do you have any information with regards to the amount of an expenditure, the limit that a particular board member can approve without having to have a vote by the entire membership?
It's my understanding that a individual board member can not make a purchase without board approval. At the very least, there needs to be board approval or I've never seen that in writing, that's what I, simply what I was told.
SR: Okay, and do you have any information regarding any spending limits that are placed upon the board of directors?
Again, I didn't see it in writing. I was, it was my understanding that it was \$1,000. That's what I was told.
SR: And do South Pasadena Police Association checks have to be signed by more than one individual?
Yes, at the time of the incident, yes. I'm not sure about now.
SR: So in December of 2011, the practice was for the South Pasadena Police Association to have two board members sign a check?
Correct.
SR: And what's the purpose for having two members sign a association check?
For, as an internal control so that one person who has access to the checks isn't able to write checks without the other, at least one other board member's knowledge.
SR: Back in 2011, and we're referring to the time frame of November and December of 2011 at this point, who was authorized to sign checks at that time?
To my recollection, Craig Cooper, and I believe that's all.
SR: Okay, and for the record, I'm gonna ask you for some spellings in a moment. Craig Cooper is C-R-A-I-G, C-O-O-P-E-R, common spelling first name and then you also provided two other names.

6 E	One other name.
SR:	One other name, I'm sorry.
SR: in Nov	And what was her position with respect to the South Pasadena Police Association ember and December, 2011?
not fee physica	She was a member, not a member at large, was she a member at large? I believe s the previous member at large and then took over that position. I did a comfortable having the ability to sign checks as I was the treasurer and I had all custody of them so she was, in essence, my proxy signature so that there would be signatures available. She was the signature for, in, in place of me, the treasurer.
SR:	And again, what was her name? I'm sorry.
	· ·
SR:	Is she a police officer at the city of South Pasadena?
positio	She is a records clerk. I'm not sure, she works in Records. I'm not sure of her n title.
SR: Associ	Records clerks are part of the or they can be part of the South Pasadena Police ation?
	Correct.
SR: the foll	And in December of 2011, did the South Pasadena board of directors consist of lowing individuals? The president, Craig Cooper, vice-president,
prior to	Member at large was but she retained the ability to sign checks in position of the treasurer.
SR: in Dec	Did the South Pasadena Police Association hold a Christmas party on December, ember of 2011?
i i	Yeah.
SR:	Do you know what day the Christmas party actually occurred?
	I do not. I didn't go.

Do you know if the Christmas party was held on or about December 12th, 2011, in that time frame? It sounds about right. SR: And I understand you don't know the exact date. Yeah. SR: You indicated that you were not in attendance at the 2011 association Christmas party, correct? Correct. SR: Was Sergeant Cooper present at the 2011 association Christmas party? I don't know. SR: Where was the party held? Again, I don't know. I believe it was held at Mijares Restaurant. SR: Okay, and I hate to burden you with this but Mijares spelling? It's M, M-I-J-A-R-E-S. SR: And that's a local restaurant in the city of South Pasadena? In Pasadena actually. SR: In Pasadena? Yeah. I'll ask these questions with the understanding that you weren't there, see if you have any knowledge. Was Sergeant Cooper present at the 2011 association Christmas party? I don't know personally, I don't know. SR: present at the 2011 association Christmas party? I believe he was. SR: Was there a raffle held at the 2011 Christmas party?

	Yeah.
SR:	And do you know who was responsible for the raffle at the time?
· ·	I remember that both Craig Cooper and for that raffle. I'm not sure if had involvement. I did not have any ement.
	And was there a Kimber, K-I-M-B-E-R, firearm raffled at the December 12 th , Christmas party? And I'm using December 12 th , 2011 as the date 'cause it's my standing that's when it occurred so I'm just gonna keep referring to it.
	Okay.
SR:	As December 12 th so just.
raffled	I know at the Christmas party, whatever date it was, that there was a Kimber, yes,
SR:	And who won the Kimber firearm that was raffled at the party?
	4.5
SR:	Last name correct?
	Correct.
SR:	And he's an officer at the South Pasadena Police Department?
	Correct.
SR: would	Was the raffle advertised in advance of the party with regards to the items that be made available?
	I'm not sure if it was advertised in advance but I do know that it was common edge, I don't know how it got out, that there was a TV available through Sony, was the Kimber and I personally had knowledge that there was gift cards because told me he was gonna buy some for the raffle.
SR: items	So it was your understanding prior to the Christmas party that there were certain that were going to be raffled off, including the Kimber firearm, correct?
	Correct.
SR: Decen	Who told you that the Kimber firearm was going to be raffled off at the nber, 2011 Christmas party?

SR:	And what did he tell you about the Kimber firearm?
have to you kn said w need a you wi on bet that's a and it	He said, I said are board members eligible to win prizes if they're not in ance or POA members because I wasn't planning on attending and he said, no, you be present and I said, okay, well, I'm just not gonna, I have no incentive to go, low, I don't really need another TV. He said, well, what about the Kimber and I se're giving away a Kimber? And he said, oh, yeah, and I said, well, still I don't nother gun anyway and he's like, yeah, that's what I hope to win and I said, well, if in, jokingly I said, I said if you win it then I know there's some shenanigans going ween you and, and Cooper and so I heard, 'cause that was the first, all I cared about, who won the TV and it was I heard, 'cause that was the Kimber was and that's everything that I know. I think everyone received rds though, even if they didn't attend.
SR: to be r	Did indicate where the, the source of the Kimber firearm that was affled off at the 2011 Christmas party.
	He did not.
SR:	When he had that conversation with you?
	He did not, not in that conversation, no.
SR: .45 cal	And a Kimber is a tactical firearm and I believe in this particular instance, it was a liber. Is that correct?
	Yeah.
SR: Christ	So the information that you had in advance about the items to be raffled at the mas party was from a verbal conversation that you had with
	Correct.
SR: being	And was that the first time that you became aware that a Kimber firearm was raffled at the 2011 Christmas party?
	Yeah.
SR: with re	And approximately when did you have that conversation with espect to the date of the party itself, December 12 th , 2011?
	I know that it was during the planning stages when it was getting pretty close to rty so I would estimate based on, you know, not perfect recollection, it was either or December of 2011.

SR:	Give me one moment please.
	Sure.
	Some of these questions you've already answered. I just wanna be clear. The nation that you had regarding the Kimber firearm being raffled at the 2011 ation Christmas party came verbally from
Ş	yes, sir.
SR: involv party?	Were you personally present for any discussions prior to December 12 th , 2011 that ed Sergeant Cooper and the Kimber firearm being raffled off at the Christmas
() ()	No.
SR: raffled	Was the Kimber firearm donated or sold to the association so that it could be at the party?
reimb	It was my understanding that it was sold being that I saw that it was on the list of ursements as far as the expenses for the Christmas party.
SR: of 201	And was that information that you received after the party occurred in December 1?
	Correct, it was after the fact.
inform	Prior to the Christmas party taking place in December of 2011 and the Kimber in being raffled off and ultimately won by did you have any nation as to the source of the firearm and whether or not it actually had been sold to sociation or donated?
	I did not, no, no knowledge.
SR: firearr	Did the South Pasadena board of directors approve the purchase of the Kimber in 2011 so that it could be raffled off at the Christmas party?
	It was my understanding that they did.
·SR:	Were you present when the board of directors made that approval?
	I was not present.
CD.	And how did you become aware of that information?

After, when I had got the list of expenditures and I saw that was one of the items to be reimbursed. SR: And did you question that particular item to be reimbursed? Because it was \$1,000 and at the time, it was my understanding that expenditures up to \$1,000 could be made at the board's approval, I simply assumed that since the check, when I got the photocopy of the cancelled check with the bank statement in January, I saw that it had ' signature, as well as Craig Cooper's signature, so being that it was \$1,000, being that it was signed by two board members, I simply assumed that the board had approved it and it was my understanding, well, my assumption that also had, was part of that conversation. I was never part of any conversations because I was very hands off as a board member. I simply am a CPA or I was a CPA and so I just agreed to be the treasurer to take over the books and find the, the, where we were hemorrhaging money and I couldn't get out of it once I got in so I was very hands off. I never participated in any board meetings. I didn't care to, I just was here to keep the books. And you've described a, I believe you said an e-mail that you received regarding the items that were actually raffled off at that particular event. It was a list of total expenditures for that event. SR: And was that e-mail from Sergeant Craig Cooper? Yes, it was. And I'd like to show you an e-mail that's dated Monday, January 9th, 2012 at SR: 9:04 PM. It's from Sergeant Craig Cooper to and the subject of the e-mail is POA Christmas Party Itemized Expenditure List and the list contains seven items, including a Sony television, a Kimber .45 caliber handgun, gift cards and various other items totaling \$5,895.91. Is this the e-mail that you received that you described moments ago? This is a copy of it, yeah. SR: And that e-mail, why was that e-mail sent to you from Sergeant Cooper? I kept track of the expenditures. I had to, I kept the books basically so he sent it to me because he wanted to make sure that the books were up-todate so he had that list of expenditures and so I compared it to what had already hit the books as in when the January statement came, I saw, okay, this is what's here, this is what's not here so I'm expecting to see this in the next month's bank statement so he sent it to me just as, just to make sure that we had enough funds in the bank to cover, you know, the total, the expenditures basically that I already, you know, checks that were already written and so that was my understanding of, of the purpose of that e-mail.

SR:	And that e-mail was written after the December, 2011 party, correct?
statem	Yes, that would have been, that was around the time I received the bank tent.
SR: Kimbe	And how, who told you that the board of directors approved the purchase of the er firearm in 2011 so that it could be raffled off at the Christmas party?
	Again, it was simply my assumption.
SR:	Okay, so.
the \$1 because	I simply assumed it because it had, when I saw the check, I saw that it had two ures and that, actually the check that I saw wasn't for that. I assumed because of ,000 and because had told me about it that the board had approved that se I was never privy, again like I said, to any board meetings so I simply assumed, the assumption that since knew about it, that Craig er and had met and discussed what to buy for the, the party.
	Okay, so I just, I wanna be clear that prior to the December 12, 2011 Christmas you were not personally present when the board approved the purchase of the er firearm for the raffle, correct?
	That's correct, yeah, that's why I simply assumed that they approved it.
	And your assumption came after the fact based on having a conversation with regarding the fact that they had planned to raffle the Kimber firearm, in on to the e-mail in January, 2012 from Sergeant Cooper indicating that part of the ursement was for \$1,000 for the Kimber firearm.
	Correct.
	Okay. Did you have any personal conversations with anyone on the board of ors, either before or after the Christmas party, where they told you that there had a formal approval process regarding the purchase of the Kimber firearm?
	No.
SR: Coope	And did the South Pasadena board of directors authorize the payment to Sergeant or for the Kimber Firearm before December 12 th , 2011?
	I would assume, again another assumption, I assumed at the time that they did.
SR:	And is the assumption based on what you've already described?
	It's based on a conversation that I had with Sergeant Cooper.

	Okay, why don't we address that at this point in time. When did the conversation geant Cooper occur?
	t occurred after I received the e-mail that you just showed me from him. It was the in January.
SR: A	And for the record, that was in January.
	Correct.
	Of 2012. What conversation did you have with Sergeant Cooper around January, ated to that question?
already i books, I already i	looked at the e-mail and the expenditures on it and I compared it to what I had recorded in the books. When I saw that the \$1,000 for Kimber had not yet hit the went to Sergeant Cooper and I spoke to him about it and asked him if he had received the reimbursement for the Kimber or is that something to expect down so that I could mark it down in the books.
the associated Cooper :	So just so I understand, in January of 2012, you were comparing the ledger from ciation checkbook and you did not, based on what, the e-mail that Sergeant sent to you indicating that there was a \$1,000 payment to be made for the correct?
7	To him, correct.
	To him and when you compared the South Pasadena Police Association ledger ou did not see a \$1,000 payment to Sergeant Cooper with respect to the purchase imber.
7	That's absolutely correct.
SR: (Okay, and is that what drew your attention at the time?
. A	At the time, that's why I went to have a discussion with him.
	And what, what did you discuss with Sergeant Cooper relating to the \$1,000 in January of 2012?
made an	Being that the e-mail said something to the effect of list of expenditures already d being that there were names for, I saw name on there as to be sed for the gift cards.
SR:	And I'm gonna show you the e-mail here.
5	Sure, to refresh my memory.

	Yeah.
SR: Serges	To some degree. Again, we're looking at an e-mail from January 9 th of 2012 from ant Cooper to yourself,
been r and th funds receive that's	Correct. So I, I looked at all these, these seven items here and I saw that the \$810 s Sony Family Center, I knew that that check had been written and it had already ecorded in the ledger. The \$1,000 for the Kimber .45 handgun, says Craig Cooper, en with a little asterisk, the asterisk is him saying initial purchase using personal and reimbursed by POA by check. That led me to believe that he had already ed the check for reimbursement and because I had not recorded that in the ledger, when I went to him to say did you already receive the check or are you gonna e the check?
SR:	And how did Sergeant Cooper respond when you posed that question to him?
	He said, oh, I already received the check and so I told him, well, it didn't hit, I id you cash it because it hasn't hit the, the statement yet, you know, 'cause her is over, I got the January statement and it doesn't show on there.
SR: you w handg	So there was no posting as of January, 2012 for a \$1,000 check specific to what ere viewing on the e-mail regarding reimbursing Sergeant Cooper for the Kimber un.
	Correct.
SR:	Okay.
get ba	Correct, so I, I, so I went to him to see if he had already received the check or if s going to receive the check so for, to mark it in the ledger. He said that he would ck to me because he believed that he had already received the \$1,000 and so I said, ay, you know, maybe I missed something so I just waited to hear his response.
SR:	And did Sergeant Cooper respond back to you at some point in time?
100	Yes, he did.
SR:	And how long after January 9th of 2012 did that occur?
	No later than a week. I.
SR: to you	And what was the nature of Sergeant Cooper's response and how was it conveyed a, either in writing or, or verbally?

SR:

That, it may help refresh your memory.

It was verbally, verbally made, made in passing. He said, oh, I, I found out about the \$1,000 and I said, okay, and he said I wrote a check out of my personal funds to a charity back in November and I wrote it from my personal funds because I didn't have time to get the board approval and I knew that the board would approve it after the fact so I, some, I don't remember a hundred percent but something to the effect of I, when I went to give the check, it was for some kind of charity for having to do with Christmas and, but he brought it too late and they wouldn't accept it. SR: So the charity that Sergeant Cooper said he wrote a personal check to, they would not accept it. Correct, to that effect. I don't remember exactly what he said but something to that effect that, that he, he delivered it too late and they, and it was returned to him. Did Sergeant Cooper indicate what charity he had written a personal check to, anticipating that the association would reimburse him for that? Why would, let me ask you, did Sergeant Cooper explain why he would write a personal check to Angels Haven and then later seck reimbursement from the police association? Something to the effect of it was, there was a time, there was a time issue, a time constraint that, you know, he had to give the money by a certain time and that he didn't have time to wait for a check from the association 'cause he needed two signatures and he didn't have time to procure a second signature. So in January of 2012, Sergeant Cooper told you that as it relates to the \$1,000 payment, that he had written a personal check because of a time sensitive concern. Correct. And he anticipated being reimbursed by the association when he had an SR: opportunity to present the matter to them. Correct, either that, I don't know if that's the case but it could have been that he had already received approval and then didn't have time to get the second signature. So I don't know. I don't wanna put words in his mouth. SR: No, and I don't want you to either, no, I. But I, it had something to do with the fact that it was time sensitive so he used one of his own checks and then either before or after got approval and he got a check for

reimbursement for using his personal funds to send to this charity.

SR: Okay.

So he continued the conversation saying I, I, they returned the check to me and said it was too late for the specific whatever fundraising drive it would, it would have, you know, because he had got there too late.

SR: They being Angels Haven.

Correct, however, when they returned the check to him, he had already received reimbursement from the association funds. It already had gotten board approval and got a check for reimbursement so rather than return the \$1,000 that he had got reimbursed because it was returned to him, he simply instead of writing another, returning it and writing another check for the firearm, he just kept the \$1,000 and, in payment for the firearm so he said, I remember him saying specifically, oh, it was a wash.

SR: Okay.

Basically so it's kind of like the shortcut, you know, here's the money that, from this because we didn't, I didn't, they returned the check to me so give me \$1,000 now for the Kimber so he just kept the \$1,000 and it was a wash.

SR: So in other words, the check that Sergeant Cooper sent to returned to him and they didn't cash it.

: Correct.

SR: So in essence.

He now owes.

SR: He now owes the association \$1,000.

Correct.

SR: And then.

The association owed him \$1,000 for the handgun that he sold to the association so he said it was a wash.

SR: Okay, I understand. Any other details of that conversation that you had with Sergeant Cooper in January of 2011, I'm sorry, January of 2012 about the original transaction involving the donation to Angels Haven and then subsequent reimbursement that he received from the South Pasadena Police Association that we haven't already talked about?

No, other than my thought at the time, thinking that that was legitimate, was if he wanted to take money from the association, he could have simply, I, no one would have known. He could have said, hey, give me another \$1,000 for the Kimber that I'm selling so being that he didn't do that, I just, okay, so it made sense what he said. That seemed to corroborate it because I figured, well, if he was trying to rip off the association, he would have just asked for another \$1,000 because no one would have been the wiser, no one would have known that the check was returned.

SR: Right, okay, and again just to go back and summarize, prior to the Christmas party on December 12th, 2011, you've indicated you were not personally present for any board meetings where discussions took place on whether or not Sergeant Cooper would be reimbursed for the Kimber firearm. It's only after the fact that he told you that he was to receive a \$1,000 reimbursement.

It was through the e-mail. That's when I saw that he was supposed to be reimbursed, rather than paying, you know, some third party for a Kimber firearm based on what he wrote in the e-mail.

SR: And did Sergeant Cooper receive a payment for the Kimber firearm? I know you've briefly touched on that, now did you determine through a review of the checks at the South Pasadena Police Association that there was a \$1,000 payment made to Sergeant Cooper?

Yes, there was.

SR: Okay, and I would like to show you a check. It's identified as check number 4173, south off, South Pasadena Police Officers Association, it's First American Bank and this particular check is made payable to Craig Cooper. There is no date on this check that I can see. It's in the amount of \$1,000. There's a memo, handwritten memo to the lower left hand portion of the check stating reimbursement 50(c)3, I believe. Is that, did you ultimately determine that that was a, a check that was written to Sergeant Cooper?

Yes, I did.

SR: And do you believe that check number 4173 is the check that Sergeant Cooper described to you in January of 2012 regarding a previous payment that had been made for that he was now using to, as a wash to reimburse himself for the firearm?

Correct.

SR: But any part of this I am not understanding, you're gonna have to set me straight.

No, I think you completely understand it.

SR: But I think I understand what you're.

Right, the conversations that I had with him.		
SR: Okay. Had you ever seen check 4173 prior to, well, first of all, let me ask you. When did you first see a copy of check 4173?		
When I received the November bank statement in the beginning of December, 2011.		
SR: And at the time that you viewed check 4173 which was for reimbursement to Angels Haven, had you been contacted by Sergeant Cooper regarding this particular check and its purpose?		
No, I had not.		
SR: And again, I, I understand that you didn't normally, did not normally attend association meetings. Did you question this check when you viewed the, the document back in December of 2011?		
I questioned why I wasn't informed of it so in (unintelligible), they were pretty good about informing me in advance, however, I saw that it had two signatures. It didn't it looked to be genuinely signature, as long, as well as Craig Cooper's, and when I saw the memo say 501(c) and the amount of \$1,000 which I believed at the time was the amount that the board can approve without the rest of the members of the association, I again assumed that this was something that the board had approved as a charitable contribution in the name of the POA and that for some reason, Craig Cooper paid it himself and was now getting reimbursed for making such donation on behalf of the POA.		
SR: And did you have any conversations with Craig Cooper or anyone else in December, 2011 about this particular check?		
No, this was conversation in my own head just to try to figure out why I wasn't told of this before, is this legitimate, is you know, he tryin' to rip off money and.		
SR: So it was something that you were actually thinking about, however, you didn't, did not have a conversation with anyone relative to this particular check and it wasn't until January that there was an explanation from Cooper regarding this \$1,000 check.		
Correct, but I did satisfy my own, any initial misgivings I felt about it just by the fact that signature was on the check and it appeared to be genuine based on seeing his signature on numerous checks over the, the course of my tenure.		
SR: And did you recognize the two signatures on that check as being that of Sergeant Cooper and ?		
Correct, yes, I did.		

	And again, there is a handwritten notation on the check indicating that it was rement for a 501(c)		
	Correct.		
SR:	So there were no real red flags for you at that point in time?		
501(c),	Not at that point when I saw that there was two signatures and that it was for a you know, because we, the board did regularly make charitable donations on of the, the association.		
by anyo	Prior to viewing that check, 4173, in December of 2011, had you been approached one on the board, including Sergeant Cooper or regarding what anned to do as far as making a donation to Angels Haven?		
	Not to my recollection, no.		
SR: And then correct me if I'm wrong, ultimately through your conversations with Sergeant Cooper and his statement that this particular check was written for a different purpose and it had already been cashed, that he was now reimbursing himself in, for the sale of the Kimber firearm.			
	Correct.		
SR:	Okay.		
	Yeah.		
SR: the ban	Did you make a determination when check number 4173 was actually posted to k?		
of 2011	In November of 2011 because I saw it on the statement which came in December.		
and the same of the same of	Any other conversations that you had with Sergeant Cooper during that period of garding any of his actions related to the \$1,000 check that was written or payment Kimber firearm?		
3	No.		
	Do you know if there have been donations to the behalf of the		
	I don't believe for the but Angels Haven does sound familiar to me.		

SR: And for the record, I think a moment ago, I described it as a 501(c)(3), it's actually a 501(c)(b). When you had your discussions with Sergeant Cooper in December of 2012, did he indicate how he came into possession of the Kimber firearm?
He did not, no.
SR: Were there any discussions that you were involved with with Sergeant Cooper regarding a legal transfer or sale of the Kimber firearm to the South Pasadena Police Department or one of its members?
I didn't have any discussions with him regarding that, no.
SR: Do you know if Sergeant Cooper discussed that with the board of directors prior to the Christmas party in December of 2012?
I personally don't know.
SR: Did you have any conversations with any other board members who had information about that?
My conversation was with and it wasn't about the specifics of the sale or transfer, you know. Up until before the e-mail, I had simply assumed that they were gonna get it from a third party. It's the way they got the TV.
SR: So at the time you had your conversation with, with indicate what the source of the Kimber firearm was?
He did not. He didn't indicate the source.
SR: Did you personally have any discussions with about any donations that were made on behalf of the South Pasadena Police Association in 2011?
No, I didn't.
SR: Did you have any discussions with the about a donation on behalf of the South Pasadena Police Association that may be taking place in 2011?
No, I didn't.
SR: And just to summarize before we end our interview today, check number 4173 was made payable to Craig Cooper in the amount of \$1,000 and it was posted, according to my information, on or about November 29 th , 2011. The memo on the check indicates reimbursement for and it was signed by Sergeant Cooper and cooper and correct?
Correct.

SR: Do you recognize whose handwriting, the name Craig Cooper and the amount?	Ø.		
It was my determination that it was Craig Cooper's handwriting but neater than usual. I mean it's very, almost like he used a ruler. It's, it's neater than usual but I determined that that was actually his writing that wrote the check.	1		
SR: So going back to the summarization, check number 4173 first came to your attention in December of 2011 after you had an opportunity to view it and you received an explanation on that check after speaking to Sergeant Cooper and also viewing the email from January of 2012 and it was Sergeant Cooper's explanation that this particular check was originally written to reimburse himself for a donation that he had made by sending a personal check to him or not cashed. In the meantime, he had already cashed the S1,000 check and then as a result of donating or selling the Kimber handgun to the association for the raffle, he was keeping the money from his original check.			
Correct.			
SR: Okay.			
That's my understanding.			
SR: Any other conversations with Sergeant Cooper or particular matter?			
No.			
SR: And again, you were not involved in any decision making regarding the sale or transfer of the weapon to the association and any anticipated reimbursement for Cooper, correct?			
Correct.			
SR: One moment. And is it common practice for certain expenditures for board members when they pay cash for items to provide receipts and then ask for reimbursement if it's related to association business after the fact?			
At this time, it was very loose, very, very loose so the, was the best and, or all he ever went to was Smart and Final and he was really bad about getting me the receipts but swas on top of it. Any time he received reimbursements, he would give me the receipts. Craig Cooper was also terrible. If he gave it to me, he did If not, then I'd find out about it after the fact and, you know, question is this legit? Oh okay, it is and I'd just enter it into the ledger. It's very, very loose.	e ic il.		
SR: Okay, do you have any other information relevant to what we've talked about today that you believe would be pertinent to what we've discussed?			

I, everything came out in your questions, yeah.

SR: We're gonna end the interview. The time is 7:15 PM.

To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of transcription and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena Police Department.

EXHIBIT O

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH

INTERVIEWED BY STEVE RODIG

INTERNAL AFFAIRS INVESTIGATION

JUNE 15, 2013 @ 7:18 PM AT SOUTH PASADENA POLICE DEPARTMENT

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC
Post Office Box 29798
Anaheim Hills, California 92809-9798
(714) 779-2300

TRANSCRIPTION OF INTERVIEW WITH

SOUTH PASADENA POLICE DEPARTMENT

06-15-13

SR: Okay, we're on the record. Today's date is June the 15th, 2013. The time is 7:18 PM. My name is Steve Rodig from RCS Investigations and Consulting and our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Police Association funds and the sale or transfer of a personal firearm during the time frame of December of 2011. This interview is being recorded and you are deemed a witness only. If at any time during the interview you believe your status of witness changes to that of a subject employee, advise me immediately and we will stop the interview pursuant to the Peace Officers Bill of Rights. I have been authorized by Chief Miller to conduct this investigation and admonish those involved to answer questions fully and truthfully and do you understand that admonishment?

subject employee, advise me immediately and we will stop the interview pursuant to the Peace Officers Bill of Rights. I have been authorized by Chief Miller to conduct this investigation and admonish those involved to answer questions fully and truthfully and do you understand that admonishment?		
Yeah.		
SR: And do you, did you receive a written notice from the South Pasadena Police Department directing you to participate in this administrative investigation?		
Yes, I did.		
SR: And will you state your name and spell it please.		
First name last name		
SR: And how long have you been employed by the Pasadena Police Department and what is your position?		
I'm a police officer assigned to Patrol Division, seven-and-a-half years.		
SR: And are South Pasadena police officers expected to avoid illegal behavior, either on or off duty?		
Yes, sir.		
SR: And are South Pasadena police officers expected to conduct themselves in a manner as to not bring discredit upon themselves or the department, whether on or off duty?		

	Yeah.
SR:	And are you a member of the South Pasadena Police Association?
	Yes, I am.
SR: directo	And are you a member of the South Pasadena Police Association board of rs?
	No, I'm not.
SR: party?	Were you in attendance at a 2011 South Pasadena Police Association Christmas
	Yes, I was.
SR:	And did that, do you recall what day the party actually occurred?
	I believe it was a Saturday but I couldn't be sure.
	And it's my understanding that the party occurred on or about December 12 th of I'm gonna be using that date as a baseline with the understanding that you don't ber the exact date that it occurred but it was on a Saturday.
	Yeah.
SR:	And was there a raffle held at the 2011 Christmas party?
	Yes, there was.
SR: subseq	And do you know who was responsible for assembling the items that were uently raffled off at the Christmas party?
	I do not.
SR: Christi	And was there a Kimber firearm that was raffled at the December, 2011 mas party?
#C00001	Yes, there was.
SR:	And who won the Kimber firearm that was raffled at the party?
	I did.
SR: would	Was the raffle advertised in advance of the party with regards to the items that be made available?

: Not to, not as to the items that would be made available, no.

SR: So there was some indication that there was gonna be a raffle at the Christmas party, correct?

: Yeah.

SR: But not specific as to the types of items that would be raffled.

That's correct.

SR: And do you know who made the Kimber firearm available for the raffle?

: I have no previous knowledge of that, no.

SR: After the fact, did you become aware that Sergeant Cooper was the individual that provided the Kimber firearm for the raffle?

Yes.

SR: And how did you become aware of that information?

: I was told by somebody, I don't remember who.

SR: And can you describe the manner in which you won the Kimber .45 firearm at the Christmas party in December of 2012.

It was a ticket raffle drawing and they called my ticket and, and that was how I won it.

SR: Okay, were the tickets sold in advance or was it part of the, attending the event?

: Part of attending the, the event.

SR: So the association members that attended and purchased a ticket for the event were also given a raffle ticket.

Yeah.

SR: And were there other items also raffled off that evening, such as a television set and gift cards?

: Yeah.

SR: Who actually conducted the raffle that night?

	I believe Sergeant Cooper did.
SR: that he	And did Sergeant Cooper present you with the Kimber firearm based on the fact e pulled your ticket?
	Yeah.
SR: Coope	And after the fact, did you become aware, I think you answered this, that Sergeant er was the individual that provided the Kimber firearm for the raffle.
	Yeah.
SR: came	Did you have any conversations with Sergeant Cooper after the fact about how he into possession of the firearm?
	I did not.
SR: transfe	Did you have any conversations with Sergeant Cooper after the fact about erring the Kimber firearm into your name from the previous owner?
	Yeah.
SR:	And when did that occur?
	Shortly thereafter. I couldn't be sure of the time frame.
SR: who is	Why don't you describe the conversation that you had with Sergeant Cooper and nitiated it.
over t	He initiated it. He simply came up to me and said at some point, we would go the gun store and transfer the firearm to my name.
SR:	Did Sergeant Cooper indicate which gun store he was referring to?
() () () () () () () () () ()	No, he did not.
SR:	Okay, and you said that, that occurred obviously after December 12 th of 2011, the of the party, correct?
:	Yeah.
SR: with y	Do you recall how soon after the party that Sergeant Cooper had that conversation you?
	I don't recall any of that.

SR:	Was it weeks or months?
	It was not weeks or months. It was within possibly a week or two.
SR:	Okay.
7	Yeah.
SR: And did that ever occur? Were you ever recontacted by Sergeant Cooper and asked to provide the Kimber handgun to a licensed dealer in order to facilitate the transprocess?	
	No.
SR:	And presently, has that weapon ever been transferred?
e d	It has not.
SR:	And you're still in possession of that firearm, correct?
	Yeah.
SR: Kimbe	Do you have any information about Sergeant Cooper being reimbursed for the r firearm that you subsequently won at the Christmas party?
	I have no information.
	Do you have any information whether or not the South Pasadena board of ars authorized the payment to Sergeant Cooper for the Kimber firearm before the December 12 th , 2011?
	I have no knowledge of that.
SR: or may	You don't have any information at all about the board and any decisions that may not have been made on their behalf regarding the Kimber firearm.
	No, I have no information.
SR:	You just attended the party and you won the firearm.
	That's it, yes, sir.
SR:	Do you have any other information regarding what we've discussed today?
	No.

SR: Did you have any conversations with Sergeant, I'm sorry, with about the transfer of the firearm?
No, I did not.
SR: And you were sub, subsequently interviewed by Los Angeles County Sheriff's Department regarding their criminal investigation, correct?
Yes, I was.
SR: Any other information that I've missed or you believe would be pertinent to what we've talked about today?
: No, sir.
SR: I just wanna be clear. The last conversation that you had with Sergeant Cooper about the firearm and transferring the registration would have been sometime during the time frame of the party back in December, 2011, correct?
Yeah.
SR: If you don't have anything else, I'm gonna end the interview. The time is 7:27 PM. Thank you.
To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of by RCS Investigations and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena Police Department.

EXHIBIT P

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH

INTERVIEWED BY STEVE RODIG and DOUG WUEST

INTERNAL AFFAIRS INVESTIGATION

JUNE 17, 2013 @ 10:07 AM SOUTH PASADENA CITY HALL COUNCIL CHAMBERS

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC
Post Office Box 29798
Anaheim Hills, California 92809-9798
(714) 779-2300

TRANSCRIPTION OF INTERVIEW WITH

SOUTH PASADENA POLICE DEPARTMENT

06-17-13

SR: Okay, we're on the record. Today's date is June 17th, 2013 and the time is approximately 10:07 AM. My name is Steve Rodig from RCS Investigations and Consulting and present is Doug Wuest. We're present at the South Pasadena.

SR: City Hall Council Chambers. Our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Police Association funds and the sale and/or transfer of personal firearm during the time frame of December, 2011. This interview is being recorded and you are deemed a witness only. If at any time during the interview you believe your status of witness changes to that of subject, advise us immediately and we will stop the interview pursuant to the Police Officers Bill of Rights. We have been authorized by Chief Miller to conduct this investigation and admonish those individuals involved to answer questions fully and truthfully and do you understand the admonishment?

Yeah.

Council Chambers.

SR: Do you under, correction, did you receive a written notice from the South Pasadena Police Department directing you to participate in this administrative investigation?

Yeah.

SR: Sergeant, would you state your name and spell it please.

SR: Okay, and how long have you been employed by the South Pasadena Police Department and what is your position?

I've been employed approximately 23 years and my position currently is detective sergeant.

SR: Are South Pasadena police officers expected to avoid illegal behavior on or off duty?

	Yeah.
SR: as to n	Are South Pasadena police officers expected to conduct themselves in a manner of bring discredit upon themselves or the department, whether on or off duty?
	Yeah.
SR:	And are you a member of the South Pasadena Police Association?
	Yeah.
SR:	Are you a member of the South Pasadena Police Association board of directors?
	Yeah.
SR: Associ	At what point in time did you begin your duties on the South Pasadena iation board?
Octobe	I believe it was September of 2012, right around September, August, September, er, right around that time.
SR:	And what is your position on the board?
	I am the vice-president.
SR: by-law	And are South Pasadena Police Association board members bound by established as which govern membership and expenditures?
	Yeah.
	Do the South Pasadena Police Association by-laws require that expenditures not usly approved and ratified in the annual budget and exceed the amount of \$500 equire the approval by the majority vote of the membership?
	Yeah.
SR:	And who has access to the police association checkbook?
	Usually it would be the treasurer of the board, of the association or maybe another two board members possibly but most likely it's the treasurer, that's his position, where he keeps or she keeps the checkbook, with themselves.
SR:	Currently who is the treasurer for the South Pasadena Police Association?

SR: of that	And I may ask you for a few spellings, if you know the spelling of the last name person if you wouldn't mind for the record.
:	Yeah,
SR: more t	Thank you and do South Pasadena Police Association checks have to be signed bhan one individual?
	Yeah.
SR:	What would be the purpose in doing that?
the oth	Honesty, integrity and knowing where the money is going and the awareness of her board members that this expenditure is going out of the association.
SR:	So it's an accountability component that's built into the process, correct?
:	Yeah.
SR:	Do you know who are authorized, which board members are authorized to sign for the association?
	Currently now?
SR:	We'll talk currently now.
title ar	Currently now it would be myself, who's the, he is the, boy, his ad that, boy.
SR:	Is it member at large?
	No, he is not the member at large, that would be
SR:	Okay.
the oth	right now, is the, there's a member at large, I can't think of mer, of the other position.
SR:	Okay.
	It'll come to me though.
SR:	No, no worries.
presid	But and the and the whatever his

SR:	Treasurer?
	No,
SR:	Okay.
	And I'm sorry, I just can't think of the.
SR:	No, that's okay.
	The fifth position. Vice-president, president, member at large, treasurer and.
SR:	That's okay.
	No, it'll come to me.
SR:	No, that's, no worries.
	But there's three of us.
SR:	Okay.
	Currently.
SR: Octob	And there was a change in the board of directors sometime in August, September of 2012, correct?
	Yes, there was.
SR: the fol- treasu	And in December of 2011, did the South Pasadena board of directors consist of llowing individuals? President, Craig Cooper, vice-president, craig Cooper, craig
	Yeah.
SR: Decen	Did the South Pasadena Police Association hold a Christmas party on or about nber 12 th , 2011?
	Yeah, I don't know the exact date. It would have been a Friday or Saturday night likely a Saturday night, mid-December or so of 2011, and that would have been at es Restaurant I believe in Pasadena.
Decer	And for the record, as we're working our way through this administrative igation, it is not clear whether or not the Christmas party was actually held on nber the 12 th of 2011, as that appears to have been a Monday. Information is, is hat the party may have been on a weekend night so just for the record, we are not

clear whether or not that is the actual date. With that being said, there was a Christmas party in December, 2011 that was held by the South Pasadena Police Association, correct? Yes. SR: Were you in attendance at the 2011 association Christmas party? No. SR: Was Sergeant Cooper present at the 2011 association Christmas party? Yeah. SR: Was present at the 2011 association Christmas party? Yeah. SR: Was there a raffle held at the 2011 Christmas party? I was told there was a raffle held, yes. SR: And again, you were not personally present for a raffle. Correct. Do you know who was responsible for conducting the raffle and collecting the items to be raffled prior to the association party taking place in December, 2011? I do not. Was there a Kimber firearm raffled at the December, 2011 Christmas party? SR: Yeah. SR: And do you know the name of the employee that won the Kimber firearm that was raffled at the party? Yeah. Who was it? SR:

. I believe.

and that spelling is

SR:

Thank you.

	Was the raffle advertised in advance of the party with regards to the items that be made available?
heard o	I don't know. I, I had never heard of it, no, not until after the fact but I had never of any raffle or items.
SR: that the	So prior to the association party in December of 2011, were you aware at the time ere would be a Kimber firearm that would be raffled off?
raffled	No, we, no, the association has never had any participation in any weapons being or sold or purchased, no.
	When did you first become aware that a Kimber firearm was raffled at the 2011 nas party?
	I wanna say it was September of 2012. There was a discussion down in briefing the Christmas party and Sergeant Cooper and about a gun that he had sold to the tion or raffled at the Christmas party which caught my attention as surprising, you
SR: place?	And were you on the board at that point in time when that conversation took
afterwa	No, I don't believe I was yet. I think that I had heard about it first and then ards we had changed the board.
SR: months	Okay, so you became aware the Kimber firearm was raffled off at the event many after the fact in a general conversation that took place in briefing.
	Yeah.
SR: the rafi	After the fact, were you made aware who made the Kimber firearm available for le?
	Yeah.
SR: raffle?	And what was the name of the person that made the firearm available for the
	It was our current president at the time, Craig Cooper.
	So prior to the time frame of September, 2012, you didn't have any specific ation or personal knowledge of the Kimber firearm being raffled off or how, the r in which the association purchased the firearm for the raffle.

No.

SR: Do you know if the Kimber firearm was donated or sold to the association so it could be raffled off at the party?
I was told it was donated to the association which I didn't understand why and what business we had accepting firearms from members of our association. I was very surprised.
SR: Why don't you provide us with some background information as to how you first became aware that the Kimber firearm was either donated or sold to the association so that it could be raffled off in 2011 or who did you talk to and, and what were you told at the time?
Okay, I was downstairs in our briefing room. I believe it was the end of briefing and were talking about I believe Craig Cooper and the Christmas party or things that were going on currently within the department and brought up the fact that he had given a gun to the police association at the Christmas party for donation or donated a gun, something like that, which caught my ear and I thought what are you talkin' about. I said we don't donate guns. We've never, I mean in my time, 23 years, I've never, ever heard of that goin' on and they said, yeah, you didn't hear about that. I said, no, they said, yeah, he donated a gun and has the gun now, this and that and rumors are that he's dumpin' his wife who had given him the gun and he didn't want it anymore so he was gettin' rid of it, this and that, and I thought since when did we get into the gun business. It was just very odd to me, just that, and then at that point we had discussed, well, how did we, was there any paperwork exchanged, things like that and the legalities of us receivin' a gun from the association and I know from there it went with I believe talking to Captain Kowaltschuk and then is when the check came into light where I was shown a copy of a check, had showed me a copy of a check written in Craig Cooper's handwriting to himself.
SR: Okay, and we'll, at that point we'll stop for a moment. spelling of his last name and then you mentioned Captain.
Kowaltschuk, yeah.
SR: Kowaltschuk.
, last name spelling is Captain Richard Kowaltschuk is K-O-W-A-L-T-S-C-H-U-K.
SR: So during the time frame, again approximately, of September 2012, you were in briefing. You were made aware that there was a firearm that was provided in one manner or another to the police association for the 2011 Christmas raffle by Sergeant Cooper, correct?
: Yeah.

SK:	Subsequent to that, you had a conversation with Solinsky and Captain.
	Kowaltschuk.
SR: Police	Kowaltschuk, regarding that matter and you were also shown a South Pasadena Officers Association check that was written to Craig Cooper, correct?
	Yeah.
Craig memo check	I would like to show you now a check identified as number 4173 from the South and Police Officers Association that is not dated. It is made to the order of Sergeant Cooper for \$1,000. The check has in the lower left hand corner a handwritten stating reimbursement Angels Haven 501(c) and for the that you were subsequently shown in 2012 respective to the matter that we're about today?
	Yeah.
SR: to ever	What were you told about this particular check and Sergeant Cooper as it relates at from December, 2011 and the firearm?
later o himsel Christo write o reason this ha that he	After hearing about the gun and what had occurred with the association and the mas party and him donating or selling the gun, I don't know, raffling the gun off, in I was told that once I had seen the check, basically that the check was written to if for the gun that he had donated to the police department, to the association for the mas party and I thought, wait a minute. First of all when I saw the check, we don't checks to ourselves. I mean that's never been a common practice, the ethical is behind it and things like that, but when I saw the memo portion, too, I thought is nothin' to do with a firearm. This has to do with a reimbursement, something it's already donated or paid for and he's reimbursing himself back so I thought this thing in here about a firearm.
SR:	Who brought this particular check to your attention?
	Sergeant Solinsky.
SR: check	And did Sergeant Solinsky have some concerns about the \$1,000 check that was, number 4173, that was written to Sergeant Cooper?
:	Yeah.
SR:	And did Solinsky make any comments about who actually signed that check?
	Yeah.
SR:	What did he tell you?

When he had showed me the copy of the check, he said, hey, you know, are you aware of this or when did we, when did this \$1,000 go out or something to the fact that, that Sergeant Cooper had written a check to himself, signed by himself, for a reimbursement and then it was co-signed by I believe the vice-president at the time which was
SR: Were you personally aware whether or not there were any discussions among the board members in October or November, 2011, about making any donations to Angels Haven, their 501(c)?
No, I had never even heard of that organization.
SR: And were you personally aware prior to October or November of 2011 whether or not the South Pasadena Police Association board authorized the purchase of a firearm from Sergeant Cooper in the amount of \$1,000?
No.
SR: What other concerns did Sergeant Solinsky have in 2012 regarding check number 4173 that was made payable to Sergeant Cooper in the amount of \$1,000?
I think the first concern was that it was a check written by Sergeant Cooper to himself for a reimbursement that no one had heard of or was aware of or that was discussed with any of the members of the association for that large amount of money, then that it was signed, you know, by himself and then signed by the and who gave the authority to that and then the fact that the rumors were that it was just a reimbursement for himself for the gun that he had donated or sold to the police association back in December of 2011 and when, the other issue was is when the check was written and cashed, it appeared and that was in our conversation with Sergeant Solinsky and I and I don't know if was there during that time, I think it was just Solinsky and I, that the check was written and cashed maybe three weeks prior to even the gun and the whole Christmas party which was in December.
SR: Was, based on what you observed on this check, again the memo portion stating reimbursement for Angels Haven 501(c) and the distribution, did that make any sense to you regarding what, the other information that you were being advised of regarding the, the weapon, I mean as far as.
No, it didn't make any sense at all because on the check, it said nothing about a weapon and then as we discussed it, Solinsky and I and then I believe later got in the conversation and we said, hey, there's a check also written, and I remember saying something like you gotta be kidding me because Cooper at the time had told I think about the interest in purchasing a Rolex watch and, you know, having the money for that and asking you know, hey, can you tell which ones are real or fake, just questions about a Rolex watch, something about that had told Solinsky and I about.

SR: So this is information that conversation that he had with		
	Yeah.	
SR:	Okay.	
el.	Yeah.	
SR: And as you sit here today, do you specifically know why Sergeant Cooper wrote himself a check for \$1,000 back in 2011?		
Ġ.	No.	
SR: in 201	So that still is undetermined as to why this particular check was written to Cooper 1.	
8	We have no idea.	
SR:	Okay.	
	And that's not common practice, I mean you would never write yourself a check.	
SR:	Doug, do you have any questions at this point in time?	
DW:	I, I do, just a couple. Have you served on the board before?	
	Yes, I have.	
DW:	In what capacity?	
Ċ.	I was the vice-president.	
DW:	For one term or more than one term?	
the ear	I wanna say one or two terms, maybe one, and that would been back in maybe by 2000s and I remember the president at the time was who's our	
DW: here?	And have you been a member of the association the entire time of your career	
	Vanh	

DW: And would it be normal in your experience as both a board member and association member, would it be normal for your association to buy a \$1,000 item to raffle at a department or association event like a Christmas party?

No.

DW: In your experience, has that ever been done before?

Not that I'm aware of. If we ever had a raffle and when I first got hired in '90, 1990, we would have very formal Christmas parties held at a hotel off the 210 down in Monrovia there where if there was a raffle, even in that setting, a lot more professional and high class, maybe Dodger tickets, a plaque of a picture someone signed, a jersey, dinner out, round of golf or somethin', never this amount, large amount of money.

DW: Okay, that's all I have.

SR: And you also indicated a moment ago that when you were having this conversation with Sergeant Solinsky that there was some information brought to your attention at the time that this particular check, number 4173, had been posted or cashed prior to the 2011 Christmas party, correct?

Yeah.

SR: Subsequent to that, did you begin to conduct any type of inquiry with respect to check number 4173 and whether or not there was a sale or transfer of a firearm to the association which was used in the 2011 raffle or whether or not there was a donation actually made to Angels Haven on behalf of the South Pasadena Police Association?

Not the weapon itself. I really didn't have much knowledge of the weapon. I had only heard that his, I believe it was his current wife or he was getting a divorce at the time, she had given it to him as a gift for making it through the military boot camp, something to do with the military, it was a gift, but I did then when I saw the copy of the check and in conversation with Solinsky call Angels Haven, got a number for them. Solinsky had asked me basically, hey, can, do you mind, you got the time, you're workin' day shift, can you call them and just ask them, hey, did, make sure, did you ever receive a check from our police association for the donation of \$1,000?

SR: And I'm gonna, we'll go into more detail about that. Regarding your prior experience and past practice, if the police association would make a donation to a charitable organization, would it be a common practice to simply write the check directly to the charitable organization rather than write it to a board member who would, in turn, then deposit it into their account and then somehow, anyway.

No, it would have been written directly to the beneficiary or the donation, whether it's South Pasadena Little League, whether it's Angels Haven, it would be written directly to the organization, not sent by a personal member of the association, no.

SR: So this is not common, a common practice that you're aware of where if there is a donation to be made to a 501(c) that it would be written to a board member who would, in turn, then deposit the check and basically leave a paper trail with the check being written to a, again a board member rather than directly to the 501(c).

No.

SR: Okay.

The only time that a check has been written to a board member is when that board member, and we're aware of it as far as the board, has received a receipt. We've given him direction to go pick up, whether its coffee, something for a DUI checkpoint or even as most recent as a inspection we had, formal inspection, the association picked up the food portion, beverage portion of that. We sent, we needed \$100 for something, one of our members who, I mean we were closely witnessing it and made sure the transaction occurred, spent \$100 of his own money to pick up some of the refreshments, purchased, gave us a receipt with that. We sat down with two other board members, took the receipt, put it in the file, then reimbursed him and wrote him the check directly in front of other board members so it's.

SR: As you sit here today, are you aware of any legitimate reason that the South Pasadena Police Officers Association would write a check in that manner as described on check number 4173 as a reimbursement, again and the check would be written directly to the board member rather than directly to the, the 501(c).

No.

SR: Okay.

DW: I do have one quick question. If, if you were going to receive reimbursement, you're a board member and you spent your own money, would it be appropriate for you to sign the reimbursement check or should that be done by other board members?

No, should not, that member should have nothing to do with that check. That should be done by the treasurer and maybe another member and then after the receipts or whatever have been produced and there was evidence that money was spent, then the check would be written by them and given to the one that, you know, who had already spent their own money but no.

DW: So is it fair to say whoever is receiving the money should not have any part in signing the check?

Should have nothing to do with that.

DW: Okay.

SR: As of today, June 17 th of 2013, are you aware whether or not the South Pasadena Police Officers Association or Craig Cooper ever made a \$1,000 donation to Angels Haven 501(c)?
Yes, I am aware that there was never a donation made by either the association or Craig Cooper.
SR: And was that based on your follow-up that we're gonna begin to discuss now with Angels Haven?
: Yeah.
SR: Okay, why don't you describe what you did regarding following up on this matter with Angels Haven, who you spoke to and the approximate time frame and, and specifically break down what information you have.
Okay, just to correct myself, too. One of the questions was, was I currently the vice-president at the time? Sometime, at some point during this time, I did become the vice-president. Sergeant Cooper and were replaced from the association board, their time limit was up. took over as the president and I took over as the vice-president. What refreshed my memory is my conversation with Angels Haven and I think her name was for the limit was up. I believe, I'm not sure, I was the vice-president at the time because I remember introducing myself to her as the new current vice-president of the association. So after going back to my conversation with Sergeant Solinsky and asking me, hey, is there any way you could call them since you're, you know, workin' today and just find out if a donation was ever made. I said sure, no problem. I believe I got their number off the internet. I don't remember how I got the Angels Haven phone number. I called them personally. I spoke to, I think it was for the limit was for the
SR: And, and for the record, we are looking at a small, appears to be a post-it, and the post-it has the name of on the top with a phone number of 925-788-6992, and it has the name of Angels Haven also listed on the document and it makes reference to November 29 th , 2011 and \$1,000. Furthermore, the post-it states on behalf of South Pasadena Police Officers Association, Craig Cooper, and a problem with it. Is this a, a post-it note that you wrote on at some point in time during your conversation with from Angels Haven?
Yeah.
SR: And with respect to that particular post-it note, do you recall when it was that you actually initially spoke to and what her last name is?
: I don't remember her last name if she had given it to me and I would have spoken to her, again sometime I believe it was September of 2012. I don't know the exact date

unless it's, in my notes I wrote it down. I don't know if I have that exact date that I called her.

SR: Okay, and if you don't.

: I'm sorry, I don't think I have the exact date that I called her.

SR: Do you recall if last name was

The name sounds familiar but I just, it could be. I just don't know.

DW: There's two employees from there and I'm not sure have the big book and I'll look while you're asking the questions.

SR: Okay, so irregardless, in 2012 you contacted from Angels Haven and did you have a conversation with her regarding this matter?

: Yeah.

SR: Okay, and can you describe your conversation and, and what was discussed between the two of you over the phone.

Yeah, I had called her I believe in the morning hours and I believe it was a Monday, Tuesday or Wednesday which was my normal day shift at the time as the watch commander. I introduced myself as being the vice-president, current new vice-president of the police association, that we were checking our records. We had noticed a check written by our previous president, Craig Cooper, and that was check 4173 written in the amount of \$1,000 to Angels Haven Foundation and which she works for and when she said again where are you from, I said South Pasadena, immediately her comment was, oh, South Pasadena, oh, yes, how could we forget or I remember you, yeah, what a, what a bad situation or a terrible situation, somethin' like that and I said, oh, why is that. She says, well, she says, you know, after all the phone calls that weren't returned and e-mails and things like that, we, we never received that money or somethin' like that. I said you, you didn't. I said you never received \$1,000 from our association to your foundation and that's when I think she got into explaining that there was a family that that \$1,000 was supposed to go to from them if it was ever received which they, they never received and how disappointed the family was, how frustrated she was that through all the conversations and, and unanswered e-mails and phone calls to, to Craig Cooper, that they had never received the money and that she specifically remembers South Pasadena because of the unfortunate circumstances and how it was handled. I then asked her if she could talk to the family member, the mother who it seemed like she was involved with, most of the conversations with, and just verify that she never received a check from our police officers association or I thought, you know what, maybe Sergeant Cooper, Craig. wrote the check himself and had sent it away and then, you know, hey, it made sense he reimbursed himself. Maybe it was out of his own personal account and I said could you

received a check from the association or from Craig Cooper himself. SR: And that was the , correct? Later on I found out it was the . She kinda kept it confidential at the time of who the money was going to but it was a family that had a child in need. So the first conversation that you had with the employee from Angels Haven over the phone, she had a specific recollection of speaking to Sergeant Cooper in the past and that, and there was some conversation at that point in time about a donation being made, however, at the time she was conveying to you that it had not been made and you were asking her to verify that information. Yeah. SR: Okay, and did you have any follow-up conversations with Yes, I believe she called me back that same day. I don't think it was the next day, I think it was the same day and had already spoken to the family, I think to the mother, and who had said we, we never received a check from the association or from Craig Cooper, a personal check. And you have some other notes that you have in front of you today. SR: Yeah, these are notes that, that I wrote down while I was in the car talking, in the watch commander's vehicle, talking to I believe it was still on the phone. She was the only employee I talked to from Angels Haven. And I just want, for the record and I'm gonna ask for a copy of these notes after the interview, the, the second note, we've already described the, the post-it note, second note begins by saying started in November from family and it's got the date of December 13th on it and then the other note is on a napkin and at the top of it, it states family said and then it's got extension from 184 to family so those are the two notes that we're actually referring to and after the interview, if possible, I'd like to have copies of those. Yeah. So what other conversations did you have with from Angels Haven regarding this matter? Looking on my pink note paper here that we discussed, when I had asked her on behalf of the association if she had ever received a check from Craig Cooper, her comment back was, oh, there was a problem with that. She, and I remember her saying the family had constantly called Angels Haven asking, hey, is the money in yet, did the

please just confirm with the family, the mother or whoever you speak to, that they never

association donate the money, are we gonna get that money, we need it and in that initial conversation, she said don't think we, quote, don't think we ever got it and I said, okay, if you could, that's when I said if you could just please check with the family and make sure with your records, you don't have anything from, written personally from Craig Cooper, too, but going back to the other notes we just discussed, my notes indicate here that I had written down started in November, phone calls I believe from the family to Angels Haven.

SR: That would have been November, 2011, correct? Yeah, and then I have a date here of December 13th when I think said Craig Cooper had maybe called back to them asking if the, if he could pay by credit card PayPal and. That would be pre pal, correct, or PayPal, I'm sorry. SR: PayPal. So he was trying to at that point in time, at least what you're being told, he made a, Cooper made a phone call to Angels Haven asking about a potential credit card payment. Yes, and I have in quotes here, her comment back to me was she said it was kind of a strange thing, she said, because she hadn't gotten phone calls or messages back, emails and things like that. And this is a conversation that you're having with SR: Yeah. SR: Correct? Yeah. SR: Okay. I believe it's . I, I don't know. SR: Yeah, I believe that it is so. Okay. SR: I'm just gonna keep referring to her as

Okay, and also told me that Craig Cooper had told the family January 9 th , I guess he had a conversation maybe with the family January 9 th that the funds were requested and had to be approved by the association board for a 501(c) charity.		
SR: That would have been January 9th of 2012, correct?		
Yeah.		
SR: Okay.		
: Yeah, and that's what my records show here, that I have written down.		
SR: Do you know what that statement meant?		
I don't know. I mean there he's saying that it sounds to me as though he's trying to pay them if he could pay by credit card or PayPal but before he does that, he's gotta go to the board members since it's \$1,000 or whatever the amount was supposed to be and make sure it's approved and they, they say it's okay and they approve it.		
SR: Was any of what you were being told by when you were talking to her?		
No, no, not at all and then at some point, he had told I believe in my notes here, oh, sorry, we are going through a transition right now which means, sorry, you're not gonna get the money at that point and then on my, it looks like a napkin, I had written notes, too, that I guess the family had told that they had received a text from 184 which is Craig Cooper, that's his serial number, to the family and this, I wanna say she said it was then in, I don't remember the exact month, it was later on after we had had the loss of one of our officers had passed away, that the funds were not going to be sent due to a death of an officer at the range and I don't know the date of a check but we sent that to the family members but I remember it was way after the fact, the officer had passed away in June.		
SR: Of 2011.		
2011, yeah, and I thought, well, gee, that, that occurred back in June, 2011 and now we're talking whatever it was, you know, I mean possibly eight months later and I'm like why are we bringing that into effect. That doesn't really have any bearing on this donation.		
SR: Did ever inform you whether or not there was a donation made in the amount of \$1,000 to Angels Haven on behalf of the as indicated in the memo section of the check written to Craig Cooper at some point in time in the past?		
: There was not.		

DW: During that time period, early 2012, did your association change its tax status? In other words, did you go from some type of tax status to some type of 501(c)? I don't know. DW: Are you a 501(c) now? I don't believe we are. This conversation came up with our current treasurer, , and one of our other detectives in the crime prevention office, , because he deals with a lot of donations through some other organizations. Even though he's not a board member, he's got some knowledge of it and there was discussion whether we were, whether we weren't, and I don't know the whole story about it. I don't think we are. I don't think we are. SR: Anything else about your conversation with before we move on? No, just that from what I can remember that when I identified who I was and where I was from, South Pasadena, that's when it was, oh, oh, yeah, I remember that. What an unfortunate situation that was or it really, I mean she knew exactly who we were based on what had occurred in the past with her and dealing with, I guess trying to receive money that was never given from our association. told you that she had been contacted by Sergeant Cooper back in 2011 where he inquired about whether or not he could make a credit card payment via PayPal for a donation, correct? Yeah. And I, did that make any sense to you? SR: No. Did you ever have any conversations with Sergeant Cooper about the manner in which this check was written? No. Did you have any conversations with regarding the manner in which the check was written? No. And were there concerns on the part of the South Pasadena Police Association board of directors after you reassumed that position in 2012 regarding check number 4173 and the manner in which Craig Cooper was paid, as well as the use of the firearm as part of a raffle at the 2011 Christmas party?

	Yes, we were very concerned.	
	With respect to firearms and the sale or transfer, is there a process in place age the appropriate manner in which that is to occur?	
	Legally there is. I mean I wouldn't know as an organization 'cause we've never that I'm aware.	
SR:	And legally, you're talking about provisions in the California Penal Code?	
:	Yeah.	
SR:	Regarding the sale or transfer of firearms.	
	Yeah.	
SR:	And those laws have been in place for a number of years now, correct?	
:	Yeah.	
	One moment. Other than the conversations that you've described with about the have you had any conversations with anyone from the about the n that was to be made on behalf of the South Pasadena Police Association?	
had call	called me about maybe three months ago which I was in shock. She ed me.	
SR:	You're talking 2013 now.	
Yeah. She called me in the Detective Bureau, I've been in there since December of 2012, and she identified, identified herself as and she had been contacted by two sheriff investigators and, or they were trying to call her for an interview, things like that, and she was calling to ask what it was about and that she was surprised to hear that someone was coming out and wanted to speak with them, this and that, and if I knew anything about it and I was very short with her and I told her, ma'am, they are legitimate, you know, sheriff employees, law enforcement officers and they're trying to get in touch with you so that they can talk to you about some funds and, and issues and, and that's the only conversation I had with her and it was very short but prior to that regarding this issue, no, never.		
SR: And as you sit here today, you don't have any personal knowledge as to why check number 4173 was issued in the manner that it was, correct?		

Correct.

DW: And I apologize if Steve covered this. If he did, I didn't hear. To write a check to Angels, the organization, this 501(c)(3), how many board members would it take to approve? Can one board member on his own decide to make a donation of \$1,000 to a charitable organization?

No, in fact, it wouldn't even be the board members. It would be the entire association voting for this large amount of money that we all concur and approve and agree, majority, that this is where we would like \$1,000 of our funds to go.

SR: And that's actually listed in your by-laws, correct?

: Yeah.

DW: That's all I have.

SR: With respect to authorizing a, an expenditure and we'll use \$1,000 because that's what we're talking about on check 4173, if a board member wanted to move a request forward, would that normally be something that would be done at a meeting with other board members present in a, in a more formal process rather than talking to somebody in the hallway as an example and, and asking other board members whether or not they are approving a particular expenditure of this amount, \$1,000?

Yeah, because of the large amount of the, what it is, I mean the money, it would definitely be done in an association meeting.

SR: And I'm not saying that it wouldn't, it wouldn't be discussed before the meeting but is there, would it normally be a meeting where it would be brought to everyone's attention regarding an expenditure of this amount?

Yeah. If it's under \$500 which is our set limit as far as the board's approval, I mean as far as association approval and it's say a golf tournament for \$300, \$400, that would go to the board members for approval and then it would be approved just through the, not at a meeting but something under \$500.

SR: And I believe that the by-laws state, I mean at least the copy that I have, that any expenditure over \$500 actually requires a, a general membership approval.

: Yeah, yeah.

SR: And in this particular instance, are you aware of whether or not a general membership approval was made for check number 4173 to Craig Cooper in the amount of \$1,000?

: No.

SR: Do you have any other notes or anything else that's relevant to what we've talked about today before we end the interview?

Just a little bit on how it took place after the conversation with Solinsky and my conversations with Angels Haven, it was taken to Captain Kowaltschuk to let him know, hey, there was something kinda going on here that we weren't sure if we had a theft within our association of some funds. That's when he said, okay, I need to take this to the chief of police. That was, we were called into the chief of police's office on September 25th.

SR: Of what year?

Of 2012.

SR: And the name of the chief at that time.

Joseph Payne, P-A-Y-N-E. He immediately, once he was told about this, I was told by Captain Kowaltschuk, the chief wants us all in his office right now and I said, yes, sir, you know, so Sergeant Solinsky, myself and Captain Kowaltschuk all went into the chief's office. He shut the door, started asking us questions, how we came upon this, who all knows about it. We were ordered not to speak about the incident. This was on September 25th at 1:00 PM in the afternoon. He asked what we knew, who else knew about it, we were ordered not to speak about it and immediately which we found odd and even our conversations with the captain afterwards, Kowaltschuk, the chief at that time immediately started making excuses of, ah, it's poor bookkeeping by the association which was just a red flag to the three of us in there, thinking there's a chance that a crime may be, may be committed of one our supervisors and it's important for us to, whether it wasn't or it was, to hey, if he's innocent, didn't do it, there's an explanation for it, great. That's even better for us as a department and one of our supervisors but it was just odd that the chief at that time immediately starting making excuses for what we had just told him and, you know, with the sloppy bookkeeping and, well, you know what, it's reimbursement for the gun. I mean he specifically talked about the poor bookkeeping by the association, that Cooper was being refunded for the gun by raffle tickets.

SR: So we're talking now about the \$1,000 check.

: Yeah.

SR: Okay.

And the chief was more concerned about over all how many members of the association knowing about what went on rather than the incident itself which we found very odd so. I think that was it.

SR: Okay, we're gonna go ahead and end the interview and the time is 11:00 AM. Thank you.

To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of transcriptions and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena Police Department.

EXHIBIT Q

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH

INTERVIEWED BY STEVE RODIG and DOUG WUEST

INTERNAL AFFAIRS INVESTIGATION

JUNE 17, 2013 @ 11:15 AM AT SOUTH PASADENA CITY HALL COUNCIL CHAMBERS

Transcribed by Bunnie Haas

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Anaheim Hills, California 92809-9798
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TRANSCRIPTION OF INTERVIEW WITH

SOUTH PASADENA POLICE DEPARTMENT

06-17-13

SR: Okay, we're on the record. Today's date is June 17th, 2013 and the time is 11:15 AM. My name is Steve Rodig and present is Doug Wuest from RCS Investigations and Consulting and our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Police Association funds and the sale and/or transfer of a personal firearm during the time frame of December, 2011. This interview is being recorded. You are deemed a witness only. If at any time during the interview you believe your status of witness changes to that of subject, advise us immediately and we will stop the interview pursuant to the Peace Officers Bill of Rights. We have been authorized by Chief Miller to conduct this investigation and admonish those involved to answer questions fully and truthfully and do you understand that admonishment?

1 do.

SR: And did you receive a written notice from the South Pasadena Police Department directing you to participate in this administrative investigation?

: I did.

SR: And will you state your name and spell it please.

SR: And how long have you been employed by the South Pasadena Police Department and what is your position?

27 years. I'm currently a detective.

SR: Are South Pasadena police officers expected to avoid illegal behavior on or off duty?

Yeah.

SR: And are South Pasadena police officers expected to conduct themselves in a manner as to not bring discredit upon themselves or the department, whether on or off duty?

	Yeah.
SR:	And are you a member of the South Pasadena Police Association?
	I am.
SR: associ	And are you currently or have you been in the past a board member of the ation?
	I, both.
SR:	Okay, so currently you are a board member?
most o	Currently the member at large. I have been the treasurer, the vice-president and of, I was the treasurer until just before this incident happened.
SR:	Okay, what is a member at large?
checks	In our association, you are part of the voting, for any expenditure over \$400, the has to approve so you're a voting member. You're also a signing member on s and then for our association, I take care of the candy machine in the 10-10 room. It and make purchases for the candy machine.
SR: Nover	With respect to December, strike that. With respect to the time frame of nber and December of 2011, what was your position with the association?
	I believe I was member at large at that time.
SR: treasu	And you indicated that at some point in time prior to that, you served as the rer, correct?
	Yeah, about a year before that I believe.
SR:	And then assumed the duties as the association treasurer.
	Yes, and I became the member at large.
SR: establ	Okay, and are South Pasadena Police Association board members bound by ished by-laws which govern membership and expenditures?
	Yeah.
SR:	And you touched on that a moment ago.
	Yeah.

	And do the South Pasadena Police Association by-laws require that expenditures viously approved and ratified in the annual budget and exceed the amount of \$500 equire the approval by the majority vote of the membership?
	Yeah.
SR:	Who has access to the South Pasadena Police Association checkbook?
	At that time, it was
SR:	And he again was the treasurer in December, 2011, correct?
	Right.
SR: one inc	And do South Pasadena Police Association checks have to be signed by more than dividual?
:	Yeah.
SR:	What would be the purpose generally in, in having that requirement?
į	To stop any fraudulent behavior.
SR: follow	In December of 2011, did the South Pasadena board of directors consist of the ing individuals? President, Craig Cooper, vice-president, treasurer, and member at large,
	Yeah.
SR:	Was there also a female that was involved at that time as far as voting on matters?
:	was the member at large but she didn't wanna do it anymore.
SR:	Okay.
didn't	We had problems, problems filling positions at all. That's why Cooper and were president and vice-president over and over. Nobody wanted to do it. I wanna do it but no one, I was the treasurer because they needed somebody to do it. used to be a CPA so.
SR:	Right.
	We asked him to take that part over.
SR:	What was last name, I'm sorry.

•	v its
SR:	Do you know how to spell that?
SR: membe	So at some point in time prior to December, 2011, served as the er at large while you were the treasurer?
	Correct.
SR:	Okay.
	So she was, I believe at that time she was still a signer, she could still sign.
SR:	Right, and she works in Records, correct?
Tuesda Final, they're	Yeah. Also just to add, it was common practice and it still is that if, when, when was treasurer, he did not wanna be a signer to keep himself separated from hing. When I was the treasurer, if someone needed a check, I work Monday, ay, Wednesday. It was common for us, like right now if I'm gonna go to Smart and I would ask for a check and have someone sign it for me because a not gonna go to the store with me so it would be common to have a check with gnature on it.
SR:	Okay.
: Monda	A blank check just because of the fact that we work, half the team works Sunday, ay, Tuesday.
SR:	Right.
would going.	At the department and is a Thursday, Friday, Saturday guy so it be common to, to, for someone to sign a blank check not knowing where it's
SR: person be?	Okay. With respect to those set of circumstances, would it be incumbent on the using the check to provide receipts for whatever the expenditure would normally
:	Yeah, or a photocopy of the check if you're mailing it.
SR:	Right.
:	One or the other though.

And did the South Pasadena Police Association hold a Christmas party in SR: December of 2011? Yeah. SR: And do you know where the party was held? I believe it was at Mijares. I was not asked about it, I was not a part of it, I did not attend it. I wasn't aware. That's gonna be my, my next question. Were you in attendance at the 2011 Christmas party? I wasn't and I wasn't aware of how much they spent. This would not have been approved. So prior to the December, 2011 Christmas party, in your position as the member SR: at large, do you recall any discussions at association board meetings regarding raffle items that will either be purchased or donated to the association for the party? None. It was not discussed in my presence. And do you know if Sergeant Cooper was present at the 2011 association SR: Christmas party? Well, I've been told after the fact that he was. And, and again with the understanding that you weren't there, so now we're talking about secondhand information that you may or may not have received for the record. Were you told after the fact whether or not was present for the 2011 association Christmas party? No. Were you told after the fact that there was a raffle at the 2011 Christmas party? SR: Yeah. Do you know who was responsible for collecting the items for the raffle for that particular party? For that particular party, no. And again, there was no discussion that you were present for prior to December

of 2011 regarding the raffle at the party.

There was no discussion of the party, let alone the budget or the raffle or the gifts or any approval of expenditures with me. I was shocked to find out later what they spent
SR: And were you later made aware that there was over \$5,000 that was spent as part of the Christmas party in December, 2011?
I was shocked to find that out and I didn't find it out until the new board took over.
SR: Which was in the summer of 2012 or approximately that period of time?
Yeah.
SR: And was there a Kimber firearm raffled at the December, 2011 Christmas party?
I, I don't know what the gun was. I thought, I was under the impression it was a rifle.
SR: Prior to December, 2011, were you aware that a Kimber firearm was donated or sold to the association for the purpose of using it in the raffle?
No.
SR: Were there ever any discussions about a Kimber firearm being donated or sold to the South Pasadena Police Association for the purpose of raffling it at the December, 2011 party?
: Absolutely not. In the 27 years I've been here, there's never been a firearm given away anywhere.
DW: Before you go off the Christmas party, I have a couple of questions, Christmas party an annual event for your organization, the association?
It, it used to be. Funds got tight so we didn't have it for several years. We had one in Alhambra and then we hadn't had one again until, there may have been small gatherings, never a big expenditure for a Christmas party, no.
DW: In the past when you've been on the board and there have been Christmas parties, is there a committee that decides how that Christmas party is gonna go, how it's gonna be handled and budgeted?
Yes, and it usually involves volunteers from, not just from the board, you know, association members will assist in setting things up and, but the budget is talked about. We'll usually have a small open bar, then the meals and the hall and then if we decide on gifts, there would usually be 500 bucks total to buy the raffle gifts and every member

would get a ticket, including the members that didn't attend, because we're all paying for it, and none of that occurred.

DW: So to your knowledge, was there a committee or a budget process for the 2011 Christmas party?

I never heard of anything for it and I was not part of any discussions about having the party, setting up the party, people attending the party. I was, I found out after the fact there was a party for a small group for a budget that was larger than if we had a party for the whole, everybody.

DW: And does your board meet monthly?

No, we, only when necessary.

DW: Okay.

SR: And you commented on this a moment ago. When was it that you became aware that there was a firearm that was raffled off from the 2011 Christmas party?

When the new board took over and asked to see our financial records.

SR: And it's my understanding and it may not be the accurate date, the new board took over sometime during the summer or shortly thereafter of 2012. Does that sound approximately correct?

That sounds approximately correct.

SR: Alright. I just wanna be clear before I move off of the Christmas party, you were not personally aware as a board member prior to December of 2011 that a Kimber firearm was either being donated or sold to the association for the purposes of the raffle.

That is correct.

SR: Did the South Pasadena board of directors authorize the payment to Sergeant Cooper for a Kimber firearm before December, 2011?

I did not. I was not aware of any payment.

SR: And again based on the association by-laws, should expenditures exceeding \$5,000 be approved by the members at large before such a expenditure occurs?

You mean \$500?

DW: Yeah.

SR: I believe that's what it says. Does that sound. It's 500, not 5,000. DW: You said 5,000. SR: Oh, I'm sorry. I have 500 written here. It's 500. Anything over 500. SR: Yeah. Has to be discussed and our general rule is everything over 300, the board, 500 an association-wide vote or approval. A general membership vote. SR: General membership vote and 300 or more, the board has to discuss it and approve it and that's mostly, the only time we do that is for donations to different organizations. Can we donate this, yes, go do that. Okay. Have you ever seen a South Pasadena Police Association check that was paid to Sergeant Cooper for any purpose whatsoever in the amount of \$1,000? I have not to this day. I am gonna show you a South Pasadena Police Officers Association check. It is check number 4173 made payable to Craig Cooper in the amount of \$1,000. In the lower left hand corner of the check is a handwritten notation for reimbursement, states Angels , and you indicated that you've never seen that particular Haven 501(c). check before, correct? Correct. Do you have any information as being part of the board in December of 2011 why check number 4173 was written to Sergeant Craig Cooper in the amount of \$1,000? Do you have any personal information? No. And I'm talking now as a board member, not what you may have determined after SR: the fact. Correct. I didn't know that was written, I didn't know anything about it until after

the, the new board took over and, and what I was told but, no, no personal knowledge of

that check.

After the new board took command in 2012, were you made aware by someone that a \$1,000 check had been written to Sergeant Craig Cooper on behalf of the South Pasadena Police Officers Association? Yeah. SR: Prior to November, 2011, as an association board member, were you present for any discussions where a decision was made to provide the Angels Haven 501(c) with a donation of \$1,000 or any amount of money whatsoever? No. With respect to what's stated on this check, reimbursement, Angels Haven 501(c), , do you have any knowledge as to why check number 4173 was written to Craig Cooper with the notation for the reimbursement for Angels Haven? No. At any point in time in 2011, were you present for any board meetings where it was unanimously voted by the board that a donation would be made to Angels Haven on behalf of the South Pasadena Police Officers Association for the amount of \$1,000? I was not. That did not occur. SR: Do you recognize the signatures on check number 4173? Top check, top signature is and the bottom signature I believe is Craig Cooper. DW: While you're going through those, I have a quick question if it's okay. You've been a member of the board for some time in one capacity or another, is that correct? I think, I think 16 years. DW: A \$1,000 donation, I'm not sure what your organization normally does, is that a very large donation. Yeah. DW: For your organization to a charitable. Yeah, we would have made a check, we have a large fake check, we would have publicized it. I've never heard of that charity.

DW: So this would be an abnormal amount for you to donate without some type of publicity or major discussion about it?

At least a major discussion. Do you have any examples in the past in your experience as a board member SR: where a donation would be made to a charitable organization and a check would be written to the board member instead of directly to the charitable organization? Absolutely not. The only thing we reimburse, to keep every, clarity, clarity, whatever you wanna call it, is if I have to buy something for the association, they would write me a check but I would have a receipt for it. It wouldn't be somethin' I went and donated and they'd give me the money for the donation, absolutely not. SR: Is that. Very abnormal. Okay, with respect to this particular check, 4173, and the fact that it is made to Sergeant Craig Cooper with the notation of reimbursement for Angels Haven 501(c), that is not something that you've seen occur in the past, correct? Never. Do you have any information why the association would write a check to a board member rather than directly to the charitable organization that the donation is being made to? It would not legitimately. I don't know if you could, if there's even tax exemption for that if we're writing him the check and not the organization the check. Did you have any conversations with Sergeant Cooper about the \$1,000 check SR: that we've discussed? Never. And as you sit here today, I just wanna be clear, you don't have any information, personal information about a donation being made to Angels Haven for the or a sale or transfer of a firearm to a particular individual or the association to be used in a raffle, correct? Correct. Did you have any discussions with Angels Haven about a donation that was to be

made on behalf of the South Pasadena Police Department in 2011?

I never heard the name until you told me.

	And do you know why a check was issued to Sergeant Cooper with a notation that or reimbursement for Angels Haven?
1	No, there's no legitimate reason for it.
DW: 1	No, I don't have anything further.
	Do you have anything else that we haven't covered that you think may be to what we've talked about today?
Į.	Everything I had was, you know, what I heard was after the fact.
SR: I	Right.
	Hearsay that she was never paid, the lady was never paid and that's pretty much we were ordered not to talk about it.
SR: I	Right.
5	So, you know, I only had what I, the original discovery and then that was it.
SR: (Okay.
J	Just kinda, I was interviewed.
SR:	Right.
	By the sheriff's department and I haven't heard anything since. I wasn't sure why t Cooper was put on leave. There's a couple of different things that were
SR: (Okay, with that being said, time is 11:37 and we're ending the interview. Thank y much.

To the best of my knowledge and ability, the above transcript is a true and accurate

Police Department.

transcription of the recorded interview of the RCS Investigations and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena

EXHIBIT R

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH

INTERVIEWED BY STEVE RODIG and DOUG WUEST

INTERNAL AFFAIRS INVESTIGATION

JUNE 17, 2013 @ 11:52 AM AT SOUTH PASADENA CITY HALL COUNCIL CHAMBERS

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC Post Office Box 29798 Anaheim Hills, California 92809-9798 (714) 779-2300

TRANSCRIPTION OF INTERVIEW WITH

SOUTH PASADENA POLICE DEPARTMENT

06-17-13

SR: Okay, we're on the record. Today's date is June 17th, 2013. The time is approximately 11:52 AM. My name is Steve Rodig and present is Doug Wuest from RCS Investigations and Consulting and our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Police Association funds and the sale and/or transfer of a personal firearm during the time frame of December, 2011. This interview is being recorded and you are deemed a witness only. If at any time during the interview you believe your status of witness changes to that of a subject, advise us immediately and we will stop the interview pursuant to the Peace Officers Bill of Rights. We have been authorized by Chief Miller to conduct this investigation and admonish those involved to answer questions fully and truthfully and do you understand that admonishment?

recorded and you are deemed a witness only. If at any time during the interview you believe your status of witness changes to that of a subject, advise us immediately and we will stop the interview pursuant to the Peace Officers Bill of Rights. We have been authorized by Chief Miller to conduct this investigation and admonish those involved to answer questions fully and truthfully and do you understand that admonishment?
Yes, sir.
SR: And did you receive a written notice from the South Pasadena Police Department directing you to participate in this administrative interview today?
I received a e-mail notice.
SR: Will you state your name and spell it please.
, middle initial
SR: How long have you been employed by the South Pasadena Police Department and what is your position?
Since approximately January of 1994 and I'm currently a police officer, at that rank.
SR: Are South Pasadena police officers expected to avoid illegal behavior on or off duty?
Yeah.
SR: And are South Pasadena police officers expected to conduct themselves in a

SR: And are South Pasadena police officers expected to conduct themselves in a manner as to not bring discredit upon themselves or the department, whether on or off duty?

: Yeah. And are you a member of the South Pasadena Police Association? SR: : Yeah. Are you a member of the South Pasadena Police Association board of directors? SR: : No. SR: Have you ever served in a capacity on the board of directors? No, I volunteered to fill the candy machines but I didn't get that job. SR: Okay, did you attend a 2011 association Christmas party? : I don't, no. Were you involved in any manner prior to December, 2011 regarding a raffle that SR: occurred involving various items, including a Kimber firearm? : No. And were you contacted by anyone prior to December of 2011 regarding the raffle that was to be conducted at the Christmas party? : You mean prior to the banquet or the. SR: Prior to the banquet. : No. SR: Prior to the banquet. : No. Have you ever had any discussions with Sergeant Craig Cooper regarding any personal watch that he was purchasing for himself? : Not that he was purchasing. It was already purchased.

SR: Okay, can you describe any conversations that you had with Sergeant Cooper about a watch and when those conversations took place.

: I don't remember the time frame that it took place.

SR: Okay.

: It would have been here at the station 'cause we didn't, don't really associate off-duty.

SR: Okay.

: I had heard that he had purchased a, a Rolex, a used Rolex so I congratulated him. I received one when I graduated from school that my parents bought me so I kinda congratulated him and said, hey, you know, welcome to the club. It's nice, you know, is it nice and what kind was it but that was it.

SR: And how did Sergeant Cooper respond?

: He acknowledged and said thank you, I believe.

SR: Did he indicate what type of Rolex watch he had received or purchased?

I think I might have asked him what kind. I wanna say it was a Rolex Datejust.

SR: Okay, what's the name of it? I'm not.

A Datejust is the model.

SR: Like.

It's usually like a two-tone stainless steel, gold bracelet.

SR: How is that spelled, if you know.

: D-A-T-E-J-U-S-T.

SR: Okay.

I believe that was the model. I never saw it personally or, or did I. I don't remember. I might have but.

SR: Do you have any recollection of when that conversation occurred?

After I heard he had gotten it but I don't know.

SR: I'm talking about.

: A month or a year, or a month or a, or a day or anything like that.

SR: You don't, do you have any idea what year that conversation took place.

: No.

SR: Okay, was it sometime in the past? I mean obviously, are we talking about something that occurred a month or two ago or, or a period of.

I think it was, I wanna say that it wasn't too long after he got it. I don't know how long after he got it, if it was a month or, you know, two months or whatever but I wanna say it was somewhat, you know, after he got it, not too far after that.

SR: You.

: And that's just an assumption.

SR: You just don't have a specific recollection of when that conversation took place, correct?

: No, sir.

SR: And Cooper acknowledged that he had either received or in one form or another was in possession of a Rolex watch, correct?

: Yes, sir.

SR: Who told you about the Rolex watch?

: That I don't remember.

SR: Any other conversations with Sergeant Cooper other than what you've already described, where he may have indicated how much he paid for the Rolex watch, in what manner the Rolex watch was received?

: I don't think I asked him how much he paid.

SR: And you indicated a moment ago, did you ever see the Rolex watch?

I, I don't think so. The only reason I'm familiar with the Datejust and I usually ask that is 'cause that's the kind I got for my gift.

SR: Doug, do you have anything further?

: No.

SR: Any other information regarding your conversation with Sergeant Cooper regarding a Rolex watch?

: No, I just, after I heard he got it, I congratulated him, you know, it's not something that everyone has an opportunity to have.
SR: Right.
: And that was it.
SR: So Sergeant Cooper did not provide you with any specific information regarding a Rolex watch, correct?
: I approached him after I had heard it elsewhere.
SR: But he, but he didn't provide you with specific information regarding the details of how he came into possession of the Rolex watch.
: No.
SR: Okay, and you were not involved in any decision making with respect to the Pasadena Police Association board of directors or as a member about items used to be raffled during the 2011 Christmas party, correct?
: No.
SR: Okay. Okay, the time is 12:00 straight up and we're ending this interview. Thank you.
*
To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of transcription by RCS Investigations and Consulting LLC transcribed by Bunnie Haas for the city of South Pasadena

EXHIBIT S

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH

INTERVIEWED BY STEVE RODIG and DOUG WUEST

INTERNAL AFFAIRS INVESTIGATION

JUNE 17, 2013 @ 12:25 PM AT SOUTH PASADENA CITY HALL COUNCIL CHAMBERS

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC Post Office Box 29798 Anaheim Hills, California 92809-9798 (714) 779-2300

TRANSCRIPTION OF INTERVIEW WITH

SOUTH PASADENA POLICE DEPARTMENT

06-17-13

SK.	Okay, we le on the record.
	Uh huh.
retaine Coope the sal intervi intervi us imm Rights admon	Today's date is June 17 th , 2013. The time is 12:25 PM. My name is Steve Rodig esent is Doug Wuest from RCS Investigations and Consulting. Our firm has been at to conduct an administrative investigation into events involving Sergeant Craig r with respect to the expenditure of South Pasadena Police Association funds and e and/or transfer of a firearm during the time frame of December, 2011. This ew is being recorded. You are deemed a witness only. If at any time during the ew you believe your status of witness changes to that of a subject employee, advise nediately and we will stop the interview pursuant to the Peace Officers Bill of . We have been authorized by Chief Miller to conduct this investigation and to hish those involved to answer questions fully and truthfully and do you understand innonishment?
	Yes, sir.
SR: directi	Did you receive a, a written notice from South Pasadena Police Department ng you to participate in this administrative investigation?
checki	Yeah, you know, I didn't receive the e-mail but I was told I received it and I was ng so I just found out 'cause I was looking for it 'cause I.
SR:	You did receive some type of direction from the department to be here today.
	Yeah, I, I spoke to one of the sergeants.
SR:	Okay, thank you. State your name and spell it please.
SR: what i	How long have you been employed by the South Pasadena Police Department and s your position?
prior t	Full time just over 26 years and I was a reserve with South Pasadena for two years o that.

And are South Pasadena police officers expected to avoid illegal behavior on or SR: off duty? Yeah. And are South Pasadena police officers expected to conduct themselves in a SR: manner as to not bring discredit upon themselves or the department, whether on or off duty? Yeah. SR: And are you a member of the South Pasadena Police Association? Currently, yeah. SR: And are you a member of the South Pasadena Police Association board of directors? At this time, yeah. SR: What is your current position on the board of directors? Secretary. When did you assume the position of secretary on the board of directors? SR: Secretary, it's been about four months, four or five months now. And prior to that, did you serve in the past in some capacity on the board of SR: directors? Yes, president and vice-president, member at large, president again. Over 27 years, I've done it several times. SR: Okay. Negotiations, stuff, stuff like that. That might be helpful today, some of the questions that we've got. SR: Uh huh. SR: Regarding past practice. So currently you're serving as the. Secretary.

SR:	Secretary.
	Uh huh.
SR:	And in the past, you served in a variety of different positions.
	Yeah.
SR:	Correct?
	Yeah.
SR:	Were you serving on the board of directors in November or December of 2011?
never i	At that time, I believe I was a member, I believe a member at large, only because was a, I was asked by Craig Cooper if I could fill in for someone but there was nothing official on it and it wasn't until later after the fact I was re-asked by I think, was I gonna do this spot or not. By that time, Cooper wasn't to me so I wasn't, I was never asked anything officially during that capacity, you
SR:	Okay.
	To make any decisions or vote on anything so.
SR:	So in essence, you.
7. 13	I probably wasn't.
SR:	Okay, no, I understand so.
dispate	But I thought he had asked me months carlier if I could fill in 'cause we had a, a cher that had left.
SR:	Was that
	No, no, no, oh, what's that dispatcher's name. No, she's a clerk.
SR:	Oh, okay.
just sli	It was a dispatcher who had left, gosh, what was her name. I'm trying to think. It ipped my mind.
SR:	No, that's okay.

But she had left and at the time, it was of these in the locker, hey, can you, can you fill in for her when we need, need you for a vote on somethin' and I said, sure, you know, what, whatever and then but I was never asked anything, to participate in anything at that time and I thought I was but then when hit me up months later, hey, I understand you never gave Cooper an answer and I'm like I think I did downstairs in the locker. He asked me if I could do it and at that time, things weren't good between us so I was like.
SR: So you were not actively participating in board meetings in.
No, no.
SR: November and December, 2011.
No.
SR: Okay, and are South Pasadena Police Association board members bound by established by-laws which govern membership and expenditures?
Yeah.
SR: And do the South Pasadena Police Association by-laws require that expenditures not previously approved and ratified in the annual budget and that exceed the amount of \$500 shall require the approval by majority of the vote of the membership?
Yes, we take these to a vote.
SR: Right.
We take, we take it before the, the membership and vote, bring it up on our meetings as to what we need it for, anything that would go over a certain dollar amount.
SR: And it's my understanding from reading the by-laws.
Yeah.
SR: And I could be wrong, it's \$500, anything that exceeds that amount, that it requires a majority vote of the membership.
Yeah, the membership.
SR: Okay.
But at least, you would at least consult the board on anything that you were.

SR: Who has access to the South Pasadena Police Association checkbook in your, your past experience and presently actually?	
Well, the, it would be the, the treasurer, the president and vice-president.	
SR: And do South Pasadena Police Association checks have to be signed by more thone person?	an
Currently they, you gotta at least have two signatures. At that time, I believe the still had to be signed by a second, my, to the best of my knowledge.	ey
SR: Okay, in December of 2011 to the best of your recollection, did the South Pasadena board of directors consist of the following individuals? President, Craig Cooper,	
Yeah.	
SR: And did the South Pasadena Police Association hold a Christmas party in December of 2011?	
Yeah.	
SR: And were you in attendance at the Christmas party?	
No.	
SR: Do you know presently or in the past whether or not Sergeant Cooper was present the 2011 association Christmas party?	nt
To my knowledge, yes, because he was the president and normally the president would attend.	t
SR: And how about association party?	
That I'm not sure, that I'm not sure about.	
SR: Were you aware in November or December, 2011 that there was a raffle that we to be conducted at the Christmas party?	ıs
Well, normally we have raffles, you know, for gifts that we buy and then everybody gets a ticket and, you know, somebody gets all the stuff for it. It wasn't, in terms of the weapon, I had no knowledge about the purchase of a weapon or, until someone had won it which was I found out later and I think it was Walkin' in the back of the station comin' in to work, he made some reference to	0

how, did you hear about won a gun and that's when I, I'm pretty sure that's the way I heard.
SR: So prior to the Christmas party taking place in December of 2011, were there any advertisements or was it common knowledge amongst the officers that there would be a Kimber firearm raffled off at the Christmas party?
No, or I woulda went.
SR: Okay.
For the chance of winning a Kimber, yeah, I would have definitely, in fact, I was pissed off because I thought, gee, how come the rest of us at work didn't get a decent chance to win? Honestly, I was pissed off about that and I thought to myself I wish I'd at least got a ticket, you know, if we were doing somethin' like that and.
SR: Was it your understanding that it was, the tickets were restricted to the individuals that actually attended the Christmas party?
Yes, which I found out later which I was kinda angry about.
SR: So prior to the Christmas party, you weren't specifically aware that a Kimber firearm was going to be raffled.
No, no.
SR: Okay, and then after the fact, you indicated that having a conversation with won the raffle which involved the Kimber firearm.
Yeah, it was in the back of the station, I'm pretty sure it was, it wasn't don't think I was talking to directly 'cause I thought at one point it was but it, no, I'm pretty sure it was who said did you hear won a gun and I'm like what, what and which when they described the weapon at that time, I kinda connected, okay, that's gotta be Cooper's gun because I, I had heard that his wife had bought him a weapon similar to that, I don't know if it was the previous year or months earlier.
SR: Did you have any other conversations with regarding the Kimber firearm or why the Kimber firearm was either donated or sold through the association for the raffle?
Why it was sold?
SR: Yes, or raffled, or donated. I'm, I'm not suggesting that it was either sold or raffled or donated. I'm just, did you have any conversations with about the firearm being

	I, I don't know, I don't remember, recall other than it was a nice weapon to win.
SR: that Se	Did you have any conversations with regarding a personal watch ergeant Cooper may have purchased in the past?
	Well, that was the conversation I had with him about the, that he had inquired Rolex watches from 'cause has several, he has several Rolex watches ink he was asking him about watches or something and.
SR:	Asking Cooper?
	No, Cooper was asking.
SR:	Okay.
	Daren about it and that he was thinking about purchasing a used Rolex.
SR:	Okay.
high d	And at the time, goes like why would he do, you know, he doesn't, that's a ollar watch, you know, and.
SR: and.	Do you recall when that conversation with took place about Cooper
	Probably.
SR:	And a Rolex watch.
Decem	Probably somewhere around that time period of December, November, iber, somewhere around that time period. It was probably way back then.
SR:	So your recollection is that.
	Before, it was, it was around that time probably.
SR:	Before the 2011 Christmas party?
	Around that time probably.
SR:	Okay, alright.
	I'm just guessing because it had to be somewhere in those two months.
SR: the Ro	And in what context did your conversation with take place about blex watch and Cooper? How did that conversation.

was, I got, me rest of he said has one	He, he brought it up. He said, hey, Cooper is, Cooper was looking or asking about a watch. He was looking at a used Rolex watch and, and his comment think words to the effect that, yeah, you know, what's, the guy who's, you know, oney's an issue right now and he's divorced, he's, he's got, no different than the us, it just seemed kind of not probably the smartest investment, you know. In fact, I think he said that Cooper wanted to hand something down to his boy 'cause he e son and I think that's what he told to give to his son later.
SR: that	So it was your information based on the conversation that you had with and Cooper previously had a conversation about a Rolex watch, correct?
	Yeah.
SR:	Okay.
	And when the investigators, they kinda asked me, one of the previous gators had asked me about that and I mean I wasn't privy to that other than what he e and I, and I don't know how, I don't think I got that detailed with them.
SR:	Okay, okay.
	I don't recall, I didn't recall some of that but I, I did recall a little bit more about.
SR:	Okay, anything else about that conversation before I move on?
	No, that's, it was pretty much it.
SR: secreta	Okay, and you indicated in 2012, you were reappointed to the board as the ary, correct?
	Well, yes, after, I would say that was January, February, I believe.
SR:	Of 2012 or '13?
	Of '13.
SR:	'13, okay.
	Yeah, yeah.
	And dating back to November or December, 2011, were you personally aware of uth Pasadena Police Department making a donation to an organization identified as a Haven?

	I didn't know about that until after the fact, after we took control of, of the ation. None of that came up until after about any, any, any of the details rning that.
SR:	Was that, a period of time elapse regarding a check that involved Angels Haven?
	Yeah.
SR:	Was it.
	Yeah, something.
SR:	Okay.
Solins	I don't know, I didn't know the details of that until and Sergeant and Sergeant ky had, were, had been lookin' into that and we had discussed it.
-	So back in the time frame of November and December of 2011, you were not nally aware of the South Pasadena Police Officers Association making a donation to s Haven 501(c), correct?
	Not to my knowledge.
SR:	Okay.
	No.
SR:	Doug?
DW:	During your experience as a board member.
	Uh huh.
DW: organi	Is \$1,000 an unusually large donation for your board to make to a charitable ization?
'cause	It's not because, and there's nothin' wrong with donating provided you go the the proper, you know, process by lettin' us know what you're, that we're gonna, there was, I had an officer killed on my block that actually died of a heart attack needed \$1,000 to donate to his family and we wanted to, you know, and but it went the process.
SR:	When that.
	Years earlier.

SR:	When that and did you present that check to the family?
	Yeah, that was a few years back, yeah.
SR: Office	And again, that, that particular check was from the South Pasadena Police rs Association.
	The association.
SR:	Correct?
	Uh huh.
SR:	Was that check written to you or directly to the family?
	To the family.
SR: Police	Okay, and, and has it been your experience in the past when the South Pasadena Association makes donations and I'm, I'm asking you.
	Uh huh.
SR: norma family	To rely on your, your previous experience on the board, would the check lly be written directly to the person receiving the donation? I'm talking about the or a.
	Yeah.
SR:	Particular organization.
	Any organization we, we donate, that you donate to, I, I, yeah.
SR: check	Would it be, have you ever seen an example where the police association wrote a to a particular board member for a third party donation?
bough what h time h	Not for donations. The only time I seen where board members being ensated for, is if he put out money for say a board meeting and he went out and t food or something like that and, and gave him, and paid himself back based on ac, you know, of course, he has to present the receipts and all that, that's the only e'd write a check to himself and, of course, there would be another board member o, to approve it all.
-	If a donation is made to a charitable organization, a 501(c), has it been your ence in the past that the police association would write that check directly to that alar 501(c)?

SR:	
	Did you, have you seen check number 4173 that was written to the South ena Police Officers Association regarding the Angels Haven reimbursement?
	No, I haven't seen any, any of the materials regarding that.
	Do you have any specific information as to a check written to Sergeant Cooper or of the South Pasadena Police Officers Association for reimbursement for the s Haven 501(c)?
some	I'm aware of it only because when we took over, there was, there seemed to be mystery to it.
SR:	Were there concerns about that check.
	Yeah.
SR:	After you took over?
	Yeah, yeah.
SR:	Okay.
	Yeah, after, after, when the new board came on, there were some concerns about
	of the, the process in which they were writing out checks and reimbursing and all ad that was to be looked at.
that an	
that an	nd that was to be looked at. Prior to that being brought to the board's attention back in the time frame of
that an	Prior to that being brought to the board's attention back in the time frame of on the December, 2011.
sR: Noven	Prior to that being brought to the board's attention back in the time frame of on December, 2011. No.
SR: Novem	Prior to that being brought to the board's attention back in the time frame of onber or December, 2011. No. Were you personally aware of a check that was written to.
SR: Novem	Prior to that being brought to the board's attention back in the time frame of onber or December, 2011. No. Were you personally aware of a check that was written to. No. Craig Cooper in the amount of \$1,000 on behalf of the association for

No, I mean the only thing obviously is the weapon was the big deal. The weapon is what I think kind of, kind of started the whole thing. I mean geez, we got this weapon. Are we in the business of buying weapons? Well, we did purchase a weapon once for a retiree which I, we started thinking about that, I thought, well, I don't remember us voting on that either when we bought a retired chief but I think he wasn't the chief then, he retired as a sergeant or lieutenant.

SR: Okay.

And we started kinda kicking around, thinkin' about I don't we've ever purchased a weapon for anybody and then I thought about it after the fact and I said we did once but again, I wasn't sure about that process either because I don't remember that ever coming up.

SR: Right.

In a board, in a board meeting or a, a vote and I, and I honestly, I'm curious about that one, too, 'cause I, I'm not, I know we, I think we were charged with purchasing a Glock for a retiree and not that, no, we wouldn't approve it.

SR: Right.

We'd do it, I just don't remember us voting on it.

SR: Right.

And maybe we did. I just don't remember seeing it. I, I just think that maybe some of the bookkeeping was obviously sloppy. There's no doubt that, and I think there were some concerns by our board members and, that maybe we needed to tighten up things but again, things like, you just asked me about the check, didn't know anything about that.

SR: Okay.

And should, should we have known? Probably.

SR: And.

For \$1,000.

SR: If you were to follow the South Pasadena Police Association by-laws, a \$1,000 expenditure would require, under normal circumstances, the approval of the, the membership, correct?

Yeah, and honestly, it could go out through an, an e-mail.

SR: Right.

Hey, does anybody have any problem with, with this and, you know, most people, \$1,000 to a charity like that and we have an account that just deals with that.

SR: Okay.

With charitable, you know, that's part of our whole existence is to donate money and, and we send it out to where we think it's needed and, and not that we would have ever have turned it down.

SR: Right.

But it's still something that we still need to know about, vote on and.

DW: Your.

Keep track of.

DW: Your Christmas party.

Uh huh.

DW: From your past experience, a weapon worth \$1,000, was that a normal raffle gift you would have or is that.

No.

DW: An excessive value for you.

Not excessive, you know, I mean we used to spend 2500, you know, on gifts but we'd buy a bunch of smaller gifts so that when people left, everybody got somethin'. It could be, it could a radio, it could be a television but we ended up with a bunch of gifts so and that was kind of, that was a big dollar, big ticket item and I thought that's new, I mean other agencies I'm sure have done it but for us, you know, it was, it was something new. I, I didn't know about it and another thing, too, that was kind of funny was if you didn't attend the party, you still got a ticket. It's the first time actually that guys that didn't go, I mean we all contribute and that was another thing, our money, this is good, you know, whether we were there or not, we did contribute in one way, why that little ticket didn't go out and that was kind of another kind of concern of mine. I thought, well, that's kinda weird, you know. Of course, you're narrowing down the.

SR: Right.

Maybe he was hoping to win it back. I don't know.

SR: Right.

I don't know but.

SR: Alright, well.

Alright.

SR: We're at, I think we're gonna be concluding. The time is 12:45. Thank you.

To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of the recorded interview of the RCS Investigations and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena Police Department.

EXHIBIT T

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH SERGEANT BRIAN SOLINSKY

INTERVIEWED BY STEVE RODIG

INTERNAL AFFAIRS INVESTIGATION

JUNE 25, 2013 @ 7:03 PM AT SOUTH PASADENA POLICE DEPARTMENT

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC Post Office Box 29798 Anaheim Hills, California 92809-9798 (714) 779-2300

TRANSCRIPTION OF INTERVIEW WITH SERGEANT BRIAN SOLINSKY

SOUTH PASADENA POLICE DEPARTMENT

06-25-13

SR: Okay, we're on the record. Today's date is June the 25th of 2013. The time is approximately 7:03 PM. My name is Steve Rodig from RCS Investigations and Consulting and our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Police Association funds and the sale and/or transfer of a personal firearm during the time frame of December, 2011. This interview is being recorded and you are deemed a witness only. If at any time during the interview you believe your status of witness changes to that of a subject employee, advise me immediately and we will stop the interview pursuant to the Peace Officers Bill of Rights. I have been authorized by Chief Miller to conduct this investigation and admonish those involved to answer questions fully and truthfully and do you understand the admonishment?

BS: I do.

SR: And did you receive a written notice from the South Pasadena Police Department directing you to participate in this administrative investigation?

BS: Yes, I did.

SR: Okay, and will you state your name and spell it please.

BS: Brian Solinsky, B-R-I-A-N, S-O-L-I-N-S-K-Y.

SR: And how long have you been employed by the South Pasadena Police Department and what is your position?

BS: I've been employed with the city of South Pasadena approximately 20 years. My position is that of a police sergeant serving in the capacity of a watch commander.

SR: Are South Pasadena police officers expected to avoid illegal behavior on or off duty?

BS: Yes, we are.

SR: Are South Pasadena police officers expected to conduct themselves in a manner as to not bring discredit upon themselves or the department, whether on or off duty?

BS: Yes.

SR: And are you a member of the South Pasadena Police Association?

BS: I am.

SR: And are you a member of the South Pasadena Police Association board of directors?

BS: No, I am not.

SR: Have you ever been a member of the board of directors?

BS: Yes, I have.

SR: And during what period of time did that occur?

BS: I believe that was approximately 2000 to 2003.

SR: And what position did you serve in during that period of time?

BS: I served in the capacity of secretary and vice-president.

SR: Just to be clear, in December of 2011, you were a member of the association, however, you were not serving in a capacity on the board, correct?

BS: That is correct.

SR: Are South Pasadena Police Association board members bound by established bylaws which govern membership and expenditures?

BS: Yeah.

SR: Do the South Pasadena Police Association by-laws require that expenditures not previously approved and ratified in the annual budget and exceed the amount of \$500 shall require the approval by the majority vote of the membership? If you know.

BS: To the best of my knowledge, yes.

SR: Currently, do you know who has access to the South Pasadena Police Association checkbook?

BS: That would be

SR: And do you know how to spell his last name?

BS:

SR: And during the time period of 2011, do you know which association board member was, had primary responsibility for the checkbook?

BS: It would be

SR: And was he serving in the capacity as the treasurer during that period of time?

BS: Yes, he was.

SR: And I'm gonna ask some follow-up questions and you may base your answers on your personal knowledge or previous experience as a board member. Do you know if South Pasadena Police Association checks had to be signed by more than one individual during the time frame of 2011?

BS: It's my understanding that they did and that's typically based on my experience as, as a POA member, as well as a board member, that that was always the, the rule that applied.

SR: And do you know who is authorized to sign the police association checks?

BS: That varied depending on the board. We usually had anywhere between two to four members that were authorized to sign on the checks.

SR: And do you have any personal knowledge who was authorized to sign checks during the time frame of December, 2011?

BS: I do not.

SR: In December of 2011, did the South Pasadena board of directors consist of the following individuals? President, Craig Cooper, vice-president, member at large,

BS: That is my knowledge, or to my understanding, yes, that is correct.

SR: Was there another employee by the name of board during that period of time if you know?

BS: There is an employee by that name. She had a connection as a board member. I'm not sure at what capacity or what time frames but that sounds approximately.

SR: Did the South Pasadena Police Association hold a Christmas party in December of 2011?

BS: Yeah.

SR: And where was the party held?

BS: That would be Mijares Mexican Restaurant in the city of Pasadena.

SR: And were you in attendance at the 2011 association Christmas party?

BS: I was.

SR: And was Sergeant Cooper present at the 2011 association Christmas party?

BS: He was.

SR: Was s present at the Christmas party?

BS: Yeah.

SR: Was there a raffle at the 2011 Christmas party that was hosted by the association?

BS: Yeah.

SR: Do you know who was responsible for the raffle in 2011? In other words, collecting the raffled items and other gifts that were associated with the party.

BS: In terms of collecting and organizing, no, I do not, I have no knowledge.

SR: Was there a Kimber firearm raffled at the 2011 Christmas party?

BS: There was.

SR: Who won the Kimber firearm that was raffled at the party?

BS: That would be

SR: Was the raffle advertised in advance of the party with regards to the items that would be made available?

BS: I do not recall.

SR: And when did you first become aware that a Kimber firearm was being raffled at the 2011 association Christmas party?

BS: The best of my recollection was the evening of the, the POA Christmas party. I recall walking into the room, the banquet room where it was being held, and the prizes were displayed on a table and that's where I first observed it.

SR: And were each of the association members present at the party given a raffle ticket?

BS: To the best of my knowledge, yes.

SR: Do you know who made the Kimber firearm available for the 2011 Christmas raffle?

BS: At the time of the party, I did not. It wasn't until later that I learned it was the personal weapon of Sergeant Craig Cooper.

SR: And how did you become aware of that information?

BS: I had attended a morning briefing for the, for the oncoming shift and it was discussed between the same of the raffle and whose firearm, initially whose firearm it belonged to.

SR: And obviously, that conversation occurred subsequent to the Christmas party in December, 2011, correct?

BS: That is correct.

SR: And do you know how long after the party occurred that that conversation took place?

BS: It was approximately nine months.

SR: So it was an extensive period of time.

BS: That's correct.

SR: From the point in time of the party in December of 2011 up to the conversation that occurred in 2012, correct?

BS: Correct.

SR: What was the nature of the conversation that occurred in briefing that revolved around the Kimber firearm and the 2011 Christmas party?

BS: To the best of my recollection, briefing had, had ended and I was present during the briefing and then thereafter. The conversation was casual in nature and it was the discussion of the Christmas party and that one of our officers, had won a firearm. The talk went on to discuss the firearm being that a Kimber was, is known to be a more expensive firearm, something that officers typically wouldn't carry due to the cost which led to the disclosure that the firearm was actually from the personal inventory of

Sergeant Craig Cooper and that it was donated or given to the POA or sold to the POA by him.

SR: Were there any concerns with respect to that information regarding Sergeant Cooper providing a firearm that was used in the 2011 Christmas party raffle?

BS: Initially that was the first I'd heard that it was his personal weapon. I recall throughout the conversation that we had discussed, it came to my recollection and it started to make sense that some months previously, Sergeant Cooper had, had told several officers that his spouse at that time had purchased the weapon for him and I know he had carried it to some city events and had shown some people. It wasn't until this conversation that I realized, okay, that was, in fact, the same gun and I thought it was a little odd that someone would donate their personal gun, however, it was my understanding at that time that he was going through a separation with his spouse and that either there was some animosity with it and/or for financial purposes, he was getting rid of it. I believe it was the latest the latest had inquired a little bit more and reported the incident to Captain Richard Kowaltschuk.

SR: And did have concerns about the manner in which the Kimber fircarm was transferred from Sergeant Cooper to the South Pasadena Police Association and then raffled?

BS: Yes.

SR: Do you have any personal knowledge whether or not the South Pasadena board of directors, the association board of directors, approved the purchase of the Kimber firearm in 2011 so that it could be raffled at the Christmas party?

BS: It wasn't until later that I learned that the board members were unaware or let me rephrase that, that all of the board members, rather some of the board members had knowledge, some did not.

SR: And do you know which board members actually had knowledge regarding the Kimber firearm being transferred from Sergeant Cooper to the police association for the raffle?

BS: It is my understanding that Sergeant Cooper and only two that had knowledge.

SR: Did you speak to any of the other board members who were serving in that capacity in 2011 that had knowledge regarding Screeant Cooper transferring the Kimber firearm to the association and using it in the raffle?

BS: I spoke to and member at large

SR: And did they indicate whether or not they knew as board members in advance that the firearm would be, firearm from Craig Cooper would be transferred in that manner and used in the raffle?

BS: They had no knowledge of it prior to.

SR: Do you know if the South Pasadena Police Association board of directors authorized the payment to Sergeant Cooper for the Kimber firearm before December 12th, 2011?

BS: To my knowledge, there was only one individual that, that had knowledge of that payment.

SR: And was that

BS: Yes, it was.

SR: Did you subsequently become aware that there was a payment made to Sergeant Cooper for the Kimber firearm?

BS: Yeah.

SR: Okay, and how did you become aware of that and what were you told and by whom?

BS: Initially I, I overheard the, the conversation as I mentioned previously in the briefing and then later that afternoon, I was directed by Captain Richard Kowaltschuk to look into the matter to determine if we had any possible misconduct. At that time, I was assigned to the office of Professional Standards which typically handles internal affairs investigations.

SR: And what period of time are we talking about? This would have been the summer of 2012?

BS: I'm sorry, when I, the period when I looked into it?

SR: Yeah.

BS: That would have been September, 2012.

SR: Okay.

BS: Within either the same day or, or one day after the conversation in briefing.

SR: And prior to the interview today, I provided you with a single page document which I believe are notes that you created back in September of 2011 and they provide a

timeline as to the series of events that you had information about regarding the firearm, correct?

BS: That's correct.

SR: And is this document that is time stamped September 25th, 2012 in the chief's office and signed by yourself and dated actually, actually it appears that it's dated December 10th, 2012. I'm assuming that's when the sheriff's investigators actually gave you this document and asked you to sign it, correct?

BS: That is correct.

SR: Okay, so we have two dates on the document, September 25th, 2012 and the date the sheriff's investigators asked you to review the document and sign it, correct?

BS: That's correct.

SR: And did you prepare this particular timeline during the time frame of September 25th, 2012?

BS: Yes, I did.

SR: And is that a copy of the document that you prepared?

BS: Yes, yes, it is.

SR: And you indicated that you were working Professional Standards at the time and you began an initial inquiry regarding what?

BS: I was assigned to look into the incident to determine if there was any misconduct criminally and/or violations of department policies and procedures.

SR: And did the potential violations of policies and procedures involve a transfer of a firearm from Sergeant Cooper to the association?

BS: Yes, that, that was my primary investigative direction was to determine if that transfer was done legally and within the bounds of the laws of the state of California, federally, as well as department rules and regulations.

SR: And were you able to make a determination whether or not there had been any lawful transfer during that period of time, September of 2012, or prior to that from Sergeant Cooper to an individual or the police association?

BS: The only thing during the time frame that I was involved in investigating, the only thing I was able to determine was that there are violations of federal law and certainly state law when, in terms of the transfer of the firearm. Because of the limited time I was

involved in the investigation, I wasn't able to, to get very detailed and determine if there were any other violations.

SR: Let me ask you this. Does current California law require a process that is defined in the California Penal Code respective to the transfer or sale of a firearm from one person to another?

BS: That's correct.

SR: And with respect to your involvement in the initial investigation, was that transferred to another employee at the South Pasadena Police Department subsequent to September 25th, 2012?

BS: Yes, it was.

SR: And who was it transferred to?

BS: That would be

SR: With respect to the actual investigation that you were initially tasked with completing regarding this matter, was there somebody else that continued the investigation after September 25th, 2012?

BS: Yeah.

SR: And who was that?

BS: That was directed to Sergeant Jim Valencia also of the South Pasadena Police Department.

SR: And what capacity was Valencia serving in in September of 2012?

BS: He was the detective sergeant in charge of the Detective Bureau and it was my understanding that he was given the task of looking into the, to the transfer from a criminal, purely criminal perspective.

SR: Did you personally conduct any interviews of employees at the South Pasadena Police Department respective to the sale or transfer of the Kimber firearm from Sergeant Cooper to the association or individuals?

BS: I spoke with sergeant or, excuse me, the POA treasurer at the time.

SR: And do you recall generally what the nature of your conversation was with regarding this matter?

when, Cooper	Yeah, had indicated that he first became aware of the, the firearm a transfer in an e-mail from Sergeant Cooper. The e-mail was sent to zero when he was going through the books and trying to account for funds and Sergeant had listed the firearm as a, as an itemized expenditure for the Christmas party and my understanding from that he thought it was, was a little
SR: firearm	With respect to the actual check that was allegedly used for the purchase of the
BS:	Yeah.
SR:	That was his concern?
sort and Sergea	Yeah, it's typically, it was a little unusual for the POA to deal in firearms of any d then the manner in which it was paid for, being a check written personally, to nt Cooper personally with notations on it that the check was actually for a recment made by him to a family in need.
began to \$1,000 Associating	bid show you a check that was written on behalf of the South na Police Association, check number 4173, I provided a copy before the interview today, and again this check is made payable to Craig Cooper for the amount of . There is no date on this check from the South Pasadena Police Officers ation and there's a handwritten notation on the lower left hand corner of the check reimbursement Did Did ou this particular check?
BS:	Yes, he did.
SR:	And is that a copy of the check that you were shown at the time?
BS:	Yeah.
	Did have any concerns regarding the manner in which this check ritten and the e-mail that he received indicating that Cooper was seeking \$1,000 arsement for a firearm?
indicat	Yeah, he, told me that it was unusual that this would occur and he was ned about it. It's not something that was typical and when he inquired about it, he ed that Sergeant Cooper was very vague in describing the, the actions regarding eck and the payment.
SR: that wa	Did indicate whether or not he was able to locate an actual check as issued to officer, I'm sorry, to Sergeant Cooper for the firearm?

The actual hard copy of the check?

BS:

SR: No, a, a check that was written to Cooper for a firearm itself. I know this particular check that we've been discussing relates to reimbursement for the 501(c), however, did indicate whether or not he was able to locate a check for \$1,000 for reimbursement for a firearm that was made payable to Sergeant Cooper?		
BS: No, he v	vas not.	
SR: And how matter?	v long were you involved in the initial investigation of this particular	
BS: Approxi	mately four days.	
SR: And the	n it was transferred to, criminally to Sergeant Valencia, correct?	
BS: That is o	correct.	
SR: Did you	have any further involvement after that point in time?	
a copy of. I pre hour, I was pull	esented my findings as indicated on the timeline sheet that I, that you have sented my findings to, at that time it was Chief Joe Payne. Within an ed to the side by the chief and ordered to cease my investigation, that it ed by someone else.	
SR: And app	roximately when did you have that conversation with Chief Payne?	
BS: That wo	uld have been on September 25 th .	
SR: 2012, co	prrect?	
BS: 2012, co	prrect.	
	anna be clear. You did not formally interview Sergeant Cooper in that ame respective to your initial investigation, correct?	
BS: That is o	correct.	
number 4173 ar	had a conversation with the treasurer, regarding check and also an e-mail that was received by from Cooper regarding a abursement of items from the Christmas party, correct?	
BS: That is o	correct.	
SR: When you spoke to the specific state of the specific		

BS: I don't recall.

SR: Do you have any personal knowledge of whether or not check number 4173 was used to reimburse Cooper for the Kimber firearm or to, as it states on the check, to reimburse Angels Haven for a 501(c)?

BS: It wasn't until later that I learned that the check was actually used to reimburse him for the purchase of the firearm.

SR: Do you have any personal knowledge as to why check number 4173 was written to Sergeant Craig Cooper in the amount of \$1,000 and the notation on the check indicates it's for reimbursement for the Angels Haven 501(c)?

BS: Again, it was later that I learned that the donation to Angels Haven was never made. There was some discussion that Sergeant Cooper had contacted Angels Haven and indicated he would not be able to make the donation to them as they needed more, more money from the POA and the POA wasn't able to fund that, however, it's my understanding that no, no funds were actually donated to them period.

SR: During your initial investigation, did you speak to anyone involved with the South Pasadena Police Association board of directors that had knowledge regarding a \$1,000 reimbursement to Angels Haven 501(c) in November of 2011?

BS: No, I did not.

SR: Based on your past experience, if a donation is to be made on behalf of the police association to a member of the community or a particular 501(c), would the check normally be written directly to the person the donation is being made to or would it, has there been a past practice where it's written to a board member who would then, in turn, reimburse the organization in a different manner?

BS: No, as a board member, as a POA member, typically what happens is any time there's a donation made, the check is made directly to the organization and it's signed by, by the board members themselves. I will say that there are occasions when checks may be written to board members for reimbursement. Typically, those are small cost items such as sandwiches for a POA meeting, things that are under \$100 in nature.

SR: Have you ever seen a check written in this manner before, and I'm referring to check number 4173, where it actually states on the check in handwritten notes, reimbursement to Angels Haven 501(c) for the sociation president rather than directly to the 501(c)?

BS: No, that's never, I've never witnessed that.

SR: Do you recognize the handwriting on that check? Or the signatures.

BS: It appears that the, I recognize the signature and the handwriting indicating in the pay to order portion to Craig Cooper, that to me looks like Sergeant Cooper's printing.

SR: And do you recognize the signatures on that check?

BS: The signature on the check is that of

SR: Do you recognize the second signature on that check?

BS: No, I do not.

SR: Did you personally have any discussions with Angels Haven about a donation on behalf of the South Pasadena Police Association that may have taken place back in 2011?

BS: I did not, no.

SR: Did you have any discussions with any member of the about a donation on behalf of the South Pasadena Police Association that may have taken place back in 2011?

BS: No, I did not.

SR: And you don't have any personal knowledge as to why Sergeant Cooper was issued check number 4173 in this particular format, correct?

BS: Correct.

SR: And you shared your findings with Captain, and I'm not pronouncing his name right, Kowaltschuk, it's K-O-W-A-L-T-S-C-H-U-K. Is that correct?

BS: Yes, I did. I presented my findings to Captain Kowaltschuk, as well as then Chief Joe Payne.

SR: Based on your past experience as a board member, if a check was issued to a member or including another board member for a particular reason, what would be your expectation regarding a change in the manner in which that check is to be used? In other words, in this particular case the check was written to Sergeant Cooper for the Angels Haven reimbursement. If that changed any, at any point in time, based on your prior experience as a board member, what would be your expectation of the person who had been issued that check?

BS: Obviously to return the check, a notation indicating what the change was, photocopies of the check if the original check was to be destroyed, as much supporting documentation to confirm and validate the reason for the change.

SR: And with respect to what you just described, does that provide accountability to the, the rest of the membership regarding how checks are issued through the association?

BS: Yeah, absolutely. The whole goal of the association in dealing with finances is to be open and transparent so that if there were ever any questions that arose into funds and the expenditures, there was documentation that could show a path of where those funds and expenditures went.

SR: Did you have any conversations with during that period of time regarding check number 4173 or a donation that was to be made to the 501(c)?

BS: No, I did not.

SR: Do you have any other information that you believe would be relevant regarding the matter that we've discussed tonight?

BS: No, I do not. Again as I indicated, my, my scope in this investigation was limited and after presenting my findings, I was given a direct order to cease the investigation or have any part of it.

SR: And you were interviewed by the Los Angeles County Sheriff's Department on or about December 10th of 2012 regarding the criminal aspect of this matter, correct?

BS: That is correct.

SR: If you don't have anything further, we're gonna end the interview and the time is 7:35 PM.

To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of Sergeant Brian Solinsky by RCS Investigations and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena Police Department.

EXHIBIT U

SOUTH PASADENA POLICE DEPARTMENT

TELEPHONE INTERVIEW WITH

INTERVIEWED BY DOUG WUEST

INTERNAL AFFAIRS INVESTIGATION

AUGUST 21, 2013 TELEPHONE INTERVIEW

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC
Post Office Box 29798
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TRANSCRIPTION OF TELEPHONE INTERVIEW

SOUTH PASADENA POLICE DEPARTMENT

<u>08-21-13</u>

DW:	Okay, I've started the recorders. , is it, is your full name?	
	Yes,	
DW:	And how do you spell the please, ma'am.	
	It's capital	
DW:	And the last name also please.	
	Okay, and June 1, I identified myself as Doug Wuest with RCS igations and I'm, I'm doing an investigation for the South Pasadena Police ment and I made you aware this conversation is being recorded. Is that correct?	
	Yes.	
DW: Okay, and I understand, I wanna tell you ahead of time, the questions I have to ask you, I'm not attempting to get any, I know your records are confidential as far as your clients and I don't intend to ask you any questions about that. These are generic questions about how your agency operates and, and a conversation you had with Sergeant Cooper from the South Pasadena Police Department. If I do ask you something that is confidential, it's not intended to be, to do that. Just tell me it's not information you can divulge and that's okay with me.		
	Okay.	
DW:	Okay, and what is the name of your organization?	
	Angels Haven Outreach.	
DW:	Are you an adoption agency?	
	Yes.	

DW:	Okay, and were you working at Angels Haven on or about December 13 of 2011?
	Yes.
DW: during	And how many other employees, if you recall, were working at the organization that time?
	Myself and the director.
DW:	And the director would be who else, ma'am.
DW:	And
	Yes.
DW:	And
	I'm sorry, I didn't hear that.
DW:	Is her last name,
	Yes.
DW:	Okay, and you're the only two employees at the organization there?
	Yes.
DW: Craig	Okay, and do you recall receiving a telephone call from an individual named Cooper from the South Pasadena Police Department?
	Yes.
DW:	Was Sergeant Cooper asking about making a donation for a particular family in ction with an adoption?
	Yes.
DW:	And did Sergeant Cooper ask you if he could make the donation by credit card?
	He did.
DW:	And what did you tell him, ma'am?
	That yes, he could.

Okay, and did he ask you for something by e-mail, an invoice or something, so that he could make that donation? Yeah, I told him I'd have to send him an invoice and he could pay it that way and he gave me his e-mail address to send it. And he provided you with that e-mail address, is that correct? He did, yes. And did you ultimately send Sergeant Cooper an, an invoice for the adoption? Well, I sent him the invoice for the amount that he said that they were gonna pay. DW: And is he the one that provided you with that dollar amount? Yes. Do you recall what that was? DW: I think it was a thousand. I, I'm not sure but I think it was about \$1,000. Okay, and that telephone, was that, that conversation with Sergeant Cooper, that was by telephone, is that correct? Yes. Was that the only conversation you've ever had with him? If I recall correctly, yes. And did you, if you recall, did you exchange any e-mails with him during that DW: time? Not that I recall, just the one where I sent him the invoice. DW: Okay, did he, when you sent him the invoice, did he send any response e-mail indicating that he had received it? I can't remember. DW: Okay, yeah, it's, I realize it's been a while ago now. Does, does Angels Haven, does your organization, do you allow donors to make a donation in the name of a specific family?

Yes.

DW: And do you require, let me just say for ex, say for ex, sake of example, if a home study was going to cost \$2,500, would a donor have to make a donation for the full \$2,500 for it to be credited towards that family or could they make a partial donation?

They can make the partial.

DW: So does Angels Haven, I'm trying to figure out how I wanna word this, if they made a partial donation, if a donor made a partial donation, they could still designate it to go towards a particular family. Is that what you're saying, correct?

Yes, correct.

DW: Would you ever advise a donor that if they did not make a donation for the full amount of a home study, that the money would have to go into the Angels Haven general fund instead of that family?

No.

DW: Okay, and did you ever receive a check from Sergeant Cooper?

No.

DW: Did you receive any type of credit card payment?

No.

DW: And does Angels Haven, when you're in the process of getting ready to do a home study for a family, do you place a time limit on how long people have to get donations in?

No, huh uh. They can get 'em in throughout the process.

DW: And did, and I know this sort of seems like a strange question because you already said you did not receive any finds from Sergeant Cooper, is that correct?

Correct.

DW: Did you ever return a check for \$1,000 to Sergeant Cooper for any reason?

No.

DW: Okay, and you were interviewed regarding this case some time ago by Los Angeles County Sheriff's deputies, is that correct?

Yes.

DW: Okay. Can you think of, I've read your statement with them. Have, can you think of anything else that I haven't asked you today that, that you remember about your contact with Sergeant Cooper?		
	No, huh uh.	
DW:	Okay, does does she happen to be in today by chance?	
	Yes.	
DW:	Is it possible to talk to her?	
	Yeah, let me see if she's available. Hold on a minute.	
DW:	Thank you.	
	Hello, this is	
DW:	Is it	
	Yes, it is.	
DW:, my name is Doug Wuest. I'm an investigator with RCS Investigations and South Pasadena Police Department retained my firm to do an investigation, an internal investigation into an incident that occurred back in December involving a, a possible donation to your organization. I just talked to I'd like to ask you a few questions if that's okay. Shouldn't, it shouldn't take more than about five minutes.		
	So you're representing the Pasadena Police Department?	
DW:	Yes, ma'am, you spoke.	
:	Is that what you said?	
	Yes, and just before, before we go any further and 'cause I had already told, with your permission I'm gonna record this conversation if, if that's okay with fore we go any further. I wanna let you.	
Okay, I'll answer what I, what I can or what I feel comfortable answering. I just, I don't have any, you know, release or anything to talk about anything specific so I, I don't know that I can necessarily, I don't know that I can necessarily answer every question but I will tell you what I can.		
questio	No, and I told the same thing and, and I don't intend to ask you any ons, I understand the confidentiality of your, your process. I don't intend to ask you estions	

	gia.
	Sure.
DW:	About the donor family and if there's a question I ask.
	Okay.
DW:	That you can't answer, you're not gonna hurt my feelings. Just tell me that, okay?
	Okay.
DW:	Alright.
:	Sure.
DW: you sp	And for the, for the recording today's date is August 21, 2013 and sell your full name please.
:	
DW:	And do you work for the Angels Haven agency?
G	I do.
DW:	And what's your work title there, ma'am?
ŝ	I'm
DW:	Okay, and were you working, is Angels Haven an adoption agency?
Ğ	Uh huh, yes, we are.
DW: time p	Okay, and were you working at Angels Haven on December 13, 2011 or in that eriod?
V.	Yes.
DW:	And who else was working at Angels Haven at that time?
Every	Well, and I basically. I mean we, we're the ones that are in the office. body else is out in the field so.
DW:	And by you mean ?
E	(unintelligible) Yeah, uh huh.

DW: Okay, and are you the two primary employees that would answer phones at the organization? Yes. And did you personally receive a telephone call from Sergeant Craig Cooper from the South Pasadena Police Department? No, I don't think I ever spoke with him that I recall. I think it was only And did she make you aware of her conversation with Sergeant Cooper? Yes. DW: And what did she tell you about that conversation? That, you know, it's been a while but I do recall her con, her speaking with him because I was there but I do recall that he was going to make a donation on behalf of the police department for one of our families doing an adoption and asked how, how he could, how he could pay it. I think he asked if we could send him an invoice and gave us his e-mail and then that's what we did but I think the family tried to contact him because we never got, we never got the funds but, yes, he made the call asking how to give us the funds. DW: And that was that accepted or talked to him to your knowledge, is that correct? Yes, yes, uh huh, yes. DW: Does your organization, does Angels Haven allow donors to designate their donations to go towards a particular family? It, it just depends on each situation. He, they're, he was making a donation which we would have put specifically towards home study fees of this particular family. DW: And would that apply, and just for sake of example here, if the home study was, the cost was going to be \$2,500 and the South Pasadena Police Department only wished to donate \$1,000, would you still allow them to make that partial donation towards that family's home study? Yeah, we get donations all the time in all different amounts that, that we accept and, you know, that go for random different things so anybody can make a donation for any amount of money.

DW: Would you ever tell a donor that if they couldn't donate the full amount of the home study cost, that their donation would have to go into the general fund and could not go towards that family's price of, of their home study? Did that, did that question make sense?

Say that again.

DW: If the home study was \$2,500 and the Pasadena Police Department, South Pasadena Police Department organization only wanted to donate \$1,000, would you tell them that you couldn't accept the \$1,000 towards that family's home study?

That we couldn't accept it, I don't know that, no, I don't think we would say we couldn't accept it. We, you know, we would accept any donations. We are non-profit and I'm not sure I understand the question but I, I think the answer would be, no, I, if they, it sounds like you're saying unless you can donate a certain amount, we wouldn't take it and we don't. Sometimes we get donations for \$20 so.

DW: And I probably worded the question, even now while you're answering it, a little bit wrong. Would, would you tell the donor that that money, if they could not donate the full amount of the home study that their donation would have to go into the general fund of the organization as opposed towards that particular family?

Yeah, I don't know. I guess it would depend on the situation but, you know, donations are, are technically non-refundable. I mean a donation is a donation so we don't necessarily refund donations.

DW: No, no, I'm not talking about refund. I guess I'm, I'm sorry, I guess I'm just not wording this right. If Sergeant Cooper wanted to donate.

(unintelligible)

DW: If he wanted to donate.

No, and we never, no, we never told him that.

DW: Okay.

We never said that, no.

DW: That's the issue is, is no one told Sergeant Cooper that if he didn't donate the full amount of the home study, then you couldn't guarantee the money.

No.

DW: Would go towards that family. Is that correct?

I, again I'm not the one that spoke to him so I don't know. I never would, never said that and probably would not say that. That's actually probably the better answer to my question. I know you didn't talk to Sergeant Cooper but as a matter of practice, would you tell a donor that their money could not go towards their intended purpose at your organization? The money could not go towards their intended purpose. If, if a donor was. No. Donating to a particular family, would tell him that you could not designate that money for that family? I guess potentially, I guess, you know, I'm not really sure how to answer that question because every situation is a little bit different so I, you know, I guess I really can't answer that question. DW: When a donor calls you and wants to donate money and does want it, want it to go towards a particular family, do you honor that request? Again, it sort of depends on the situation. I mean. DW: Okay. It sort of goes in the general fund and then we can put the money where we want, you know, the money to go, to any particular situation. DW: Okay, to your knowledge, did your agency receive a check for \$1,000 from Sergeant Cooper at any point in time? No, I did not. DW: And does Angels Haven place time limits on receiving donations from individuals? No, huh uh. DW: And to your knowledge, did your agency ever return a check to, for \$1,000 to Sergeant Cooper?

No.

DW: Okay, I believe that is all I have. I thank you very much for your time. I do understand you were interviewed by detectives from the Los Angeles County Sheriff's Department some time ago. Is that correct?

Yes.

DW: Can you think of anything that, that I haven't asked you today that comes to mind about any communications with Sergeant Cooper from the South Pasadena Police Department?

No, it was, there was little contact, there was little contact. I think it was, you know, the family that was in contact, not, not us really except for the one call so I guess it was just all kind of a strange situation which we still don't really understand but, no, there was very little contact and it was a long time ago so, you know, I don't know that we can remember all the pieces. I, I had sent over everything I knew and recalled to the police department long ago so from, from memory, that, that they should have but I, I really can't recall anything else.

DW: Okay. I do have, I'm trying to figure out a way to word this 'cause I, you know, until I look back at the tape and see how I asked it, one other quick question on the issue of how the funds can be designated. I know you didn't talk to Sergeant Cooper but as a matter of practice, if Sergeant Cooper wanted to donate \$1,000 towards a particular family's home study, would you tell him you would not accept that \$1,000 towards that family's home study?

Would I tell him, no, we.

DW: Would you tell him.

He wanted to make a donation of \$1,000 and we said we would take the donation of \$1,000.

DW: And that was towards a particular family's adoption process, is that correct?

He did, he did ask to put it, he did ask us about donating towards a particular family, yes.

DW: And would you honor that request if he sent the \$1,000 in?"

Well, it's a donation which goes into the general fund so we then, you know, designate it to wherever we feel it needs to be designated to. Might we designate it to that family? Yes, we may but he, he did call in particular about this family.

DW: Okay, alright, thank you very much and I appreciate your time.

Thank you.

DW: Good bye.

Bye bye.

To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of the recorded interview of the RCS Investigations and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena Police Department.

EXHIBIT V

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH CHIEF JOSEPH PAYNE

INTERVIEWED BY STEVE RODIG

INTERNAL AFFAIRS INVESTIGATION

SEPTEMBER 4, 2013 @ 10:24 AM AT 700 EAST TEMPLE STREET LOS ANGELES, CALIFORNIA

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC Post Office Box 29798 Anaheim Hills, California 92809-9798 (714) 779-2300

TRANSCRIPTION OF INTERVIEW WITH CHIEF JOSEPH PAYNE

SOUTH PASADENA POLICE DEPARTMENT

09-04-13

SR: Okay, we're on the record. Today's date is September the 4th of 2013. The time is 10:24 AM. Present at 700 East Temple Street in the city of Los Angeles. I am with Chief Joe Payne. My name is Steve Rodig from RCS Investigations and Consulting and our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Police Association funds and the sale or transfer of a personal firearm during the time frame of December, 2011. This interview is being recorded and, Joe, will you identify yourself by spelling your first and last name please.

JP: Joseph Payne, J-O-S-E-P-H, P-A-Y-N-E.

SR: And how long were you employed by the South Pasadena Police Department before you retired as the chief of police?

JP: Well, I was, I started in 1972, October, 1972 so, so total, you know, prior to bein' appointed chief, it was approximately 37 years.

SR: And what month and year were you appointed as chief of police in South Pasadena?

JP: September, 2010.

SR: And when did you retire as the chief of police?

JP: February, 2013.

SR: And were you a member of the South Pasadena Police Association in November of 2011 in your role as the chief?

JP: No.

SR: Prior to serving as chief, did you participate as a board member during your employment with the department?

JP: Yes.

SR: And what year did that occur?

JP: Well, there were, there were multiple times.

SR: Okay.

JP: And, and I, I couldn't give you a timeline on that but I served as president and vice-president and member at large probably three or four different times over my career.

SR: While serving as the chief of police between September, 2010 and February of 2013, was there information brought to your attention regarding Sergeant Craig Cooper and allegations of possible misconduct as it related to the expenditure of South Pasadena Police Association funds and/or the sale or transfer of a personal firearm back in 2011?

JP: Yes, but I'll qualify that answer by saying that initially, the matter was brought to me as a criminal allegation and I'll separate misconduct from criminal allegation because misconduct could be considered an administrative duty or, and this was, this was not looked at initially by me as an administrative matter but as a criminal matter based on the allegations that were brought to me.

SR: If you would please, can you provide a timeline of series of events that relate to the information that was brought to your attention regarding Sergeant Craig Cooper and we'll just work our way from when it was first brought to your attention what information you received and the actions that you took from that point forward so again.

JP: Well, I'll do the best that I can. I, I don't have the benefit of any notes from then. I, frankly I didn't really keep any and.

SR: Yeah, just do the best that you can.

JP: I, I, I wanna say that this would have been the fall of 2012.

SR: Let me just begin for the record by stating that it's my information that there was a Christmas association party in December of 2011 where the sale or transfer of a Kimber firearm was alleged to have occurred so from that point forward, go ahead and I'm sorry to have interrupted you.

JP: No, thank you but that, that, that provides a point of context, yes, and honestly the Christmas party and the raffle again meant nothing to me when it happened back then.

SR: Did you have any personal knowledge with respect to the sale of the Kimber firearm or the transfer of the Kimber firearm before the Christmas association party in December of 2011?

JP: No.

SR: Okay.

JP: I did not.

SR: Okay, so now we're fast forwarding to the fall again with the understanding that you don't recall specific dates but in 2012 in the fall, did you receive some information regarding Sergeant Cooper and a firearm and/or association funds that were brought to your attention?

JP: Yeah.

SR: Okay, can you, who first contacted you regarding that information and what were you told?

JP: The, the first information was in the form of an e-mail from my Operations Captain Richard Kowaltschuk and all it said was, chief, I have an important matter to discuss with you regarding possible criminal allegations by one of our officers.

SR: Do you know how to spell Kowaltschuk's last name?

JP: K-O-W-A-L-T-S-C-H-U-K.

SR: Thank you, so you received an e-mail from the captain.

IP: Yeah, and, and I was, I was in a department head staff meeting that morning and I didn't get a chance to even respond to the e-mail and I think I even picked it up on my phone while I was in the meeting so I, I couldn't address it and I, if I recall correctly, my meeting went long enough to where Captain Kowaltschuk was no longer in the office when I got out of the meeting so I, I wanna say that it was maybe even the following day and I, I got in touch with him and I said, you know, let's sit down, go ahead and tell me what it is that, that you know or understand or what was brought to you and he, he did the best that he could based on the information that he had and again because it was the nature of an allegation of embezzlement and without any great detail about what the funds were or the action that took place or whatever. Captain Kowaltschuk told me that this matter had been brought to his attention by current or new members on the POA board and I wanna say that that would have been, and some, some may or may not have been members of the board because actually the, honestly the, the, the change in the board took place. I had no clue who was the new president, vice-president, member at was present. large, all that kinda stuff but

and I think were present and Captain Kowaltschuk was in there and I brought them all into the office and said, okay, tell me everything you know.

SR: And briefly, what information was initially brought to your attention with respect to the South Pasadena Police Association funds as it related to Sergeant Cooper?

JP: It had somethin' to do with, and the, the details and the order of events were a little confusing but it had somethin' to do with a sale of a firearm that Sergeant Cooper

owned, a sale to the police association and then that firearm ultimately being raffled off as a door prize or, and I don't even know how the, the raffle even was conducted. I know I wasn't involved. I think it was only POA members and had somethin' to do with you had to be present to win or somethin' like that and that there was a \$1,000 check made out to Sergeant Cooper and it was signed by Sergeant Cooper and I believe, I don't know if it was co-signed by another individual, maybe who was the vice-president or who was the

SR: Were you provided that check at that initial meeting?

JP: I think I saw a copy of it.

SR: And for the record, I have a copy of a South Pasadena Police Officers Association check, check number 4173, and it is made payable to Craig Cooper in the amount of a thousand, \$1,000 and there's a memo that's handwritten on this particular check that says reimbursement. Angels Haven 501(c). Do you recall if that was the check that was the reason that this information was initially brought to your attention? It's the.

JP: Yeah, I, I think that that does look like the check that I saw and some of the references do make sense and there was some information or explanation brought forward regarding that, as well, and I think maybe that reimbursement was one of the reasons why this all of a sudden raised red flags.

SR: So back in the fall of 2012, Captain Kowaltschuk, along with the other individuals that you've named, you had a brief meeting with them with regards to this check and if you could just summarize what Kowaltschuk's concerns were at the time regarding the Kimber firearm or the check.

JP: Well, Captain Kowaltschuk basically told me in his opinion that he felt that it was embezzlement, that Sergeant Cooper had improperly and, you know, just usin' the, the criminal definition of embezzlement, with his fiduciary responsibility on the POA board had unlawfully paid himself or provided himself or acquired \$1,000 but that it was in return for this firearm. Now I didn't know what the ownership of the firearm was or what the concerns were but they, they went on to explain that somehow Sergeant Cooper had paid himself for this firearm that ultimately was raffled off at the Christmas party.

SR: Let me ask you, with respect to check number 4173 and the payment to Sergeant Craig Cooper, did you have any personal knowledge about Cooper paying himself for this check prior to this information being brought to your attention in the fall of 2012?

JP: No.

SR: So you weren't, as the chief of police you weren't involved in the day to day operation obviously of the police association.

JP: I did not.

SR: So you.

JP: And I kinda made it a point to stay out of the POA business unless there were issues that were pertinent to the department.

SR: So with respect to check number 4173 made payable to Craig Cooper, you didn't, you weren't involved in any of the decision making regarding a reimbursement to Cooper for \$1,000 with respect to this check, correct? You weren't involved in, in the decision for Cooper to pay himself.

JP: No, no, yes, absolutely not.

SR: Okay, alright so this information's brought to your attention. Anything else about that conversation that you have already, other than what you've already summarized for me that you believe would be important?

JP: No, not at the initial meeting. There, there was, there was some, well, I wouldn't say suggestion, some information that came forward and there were some, some mitigating issues and, and questions that needed to be cleared up regarding the, the notation that was on the check regarding this foundation or, yeah, Angel, Angels Haven, and I understand that some of the individuals that were investigating this were, had, had tried to find out what Angels Haven was. I knew nothing about it. Ultimately and later, not too much later because while this thing was bein' investigated criminally and I'll, I'll go into that a little bit, I felt that if there was a criminal investigation that I needed to stay out of it as much as I could, allow the criminal investigation to move forward and then ultimately, based on any decision, then to handle it administratively. But there was some question or discrepancy about why there was that notation on this check but that ultimately Craig Cooper was the payee, the individual reimbursed, and then that's when I learned that the check actually had been used to pay for the gun, that maybe the check originally was intended to go to this charitable group but that donation didn't happen.

SR: Right.

JP: And again I, I really, unless it was part of a, a nefarious reason to hide funds or, or disguise the deal. I, I didn't get involved in their charitable contributions. I know that the association had over the years, and we have over decades, you know, participated in charitable organizations and, and things of that nature.

SR: After that initial meeting took place in the fall of 2012, what actions did you take from that point forward with respect to the information that you originally received?

JP: After I got as much information from these individuals in the meeting and I made it clear to them that I needed to know every bit as much as they knew at the time 'cause I wanted to make sure that nothin' had been left untouched, including whether or not, you know, one of the questions in my mind was, okay, well, I mean let's, let's say that the, the transaction was legitimate but that the weapon was only worth \$500 on the open

market and he paid himself a thousand, ultimately I think what I did and I'm kinda familiar with the firearm, it's an expensive firearm.

SR: Right.

JP: And I think ultimately somebody said that it, it's probably worth about \$1,500 so I just wanted to make sure that there wasn't any issue there so I, I took as much information as was given to me, briefed, in fact, more than briefed. I mean I laid it out entirely to Sergeant Valencia, detective sergeant.

SR: What was his role with the department at the time?

JP: Well, he was a detective sergeant but my concern was that I wanted to have somebody else there with me with the DA to make sure that all of the information that we had at the time was presented to the DA so that they could at least give me an opinion and ultimately, Sergeant Valencia did take on a slightly different role but just very briefly.

SR: And what initially was his brief role that he took on after that first meeting that you had?

JP: Well, it, it, actually that would have taken place after we met with the district attorney's office.

SR: Okay, do you recall when it was that you met with the DA's office?

JP: Oh, it was a matter of days later. I, I basically got ahold of JSID right away.

SR: And JSID, what does that stand for?

JP: Justice System Integrity Division.

SR: And that's a unit out of the Los Angeles County District Attorney's Office.

JP: Yeah.

SR: That handles allegations of misconduct regarding public officials, correct?

JP: Yeah.

SR: Including police officers.

JP: Correct, correct.

SR: Okay, so you, did you personally contact a particular attorney from the LA DA's office with respect to this matter?

JP: Yes, I did.

SR: Okay, do you recall the name of the DA that you contacted?

JP: No, no, I, I, let me take a look and see if I have it in my phone. Ah, Shannon Presby.

SR: Okay, and how do you spell that?

JP: S-H-A-N-N-O-N, Presby, P-R-E-S-B-Y.

SR: Okay, great, and she's a.

JP: He.

SR: I'm sorry, Shannon is a deputy DA, correct?

JP: Deputy DA, yeah.

SR: Okay, and again you don't recall specifically what month of 2012 that.

JP: Well, again, I, when I say fall, I wanna say that this, right around October, okay? But and I don't know if it was end of October, beginning of November but when, when it was brought to me, it was days and when I say days, it's just a few days but, you know, it was really a matter of me finding time to meet with the DA because I told him, I said I need to talk to you personally about this and again, it was, it was not at that time to launch a criminal investigation but for me to hear from a DA and says, yeah, chief, we got problems here.

SR: Okay.

JP: Because if I had heard that, then I would have really been obligated to, you know, put some people on administrative leave.

SR: So you had a, a meeting with Shannon Presby and did you at that point in time lay out the information that you had regarding the check and the firearm?

JP: Yes, I did.

SR: And was anyone with you during that meeting?

JP: Sergeant Valencia.

SR: Okay, and just, if you could summarize what or maybe you already have but the information that was given to Shannon Presby during that initial meeting.

- JP: That there was a firearm that Sergeant Cooper owned or possessed and that he wanted the, and I don't know the motive behind it but the, the, the firearm was to be auctioned off at a Christmas party so he reimbursed himself with department or POA funds for the value of the firearm. The firearm then, although probably not goin' through the dealer record of sale, became the property of the POA at which time the POA administered the raffle of the firearm at the Christmas party and again, all of that came well after the Christmas party. I had really no clue any of that was goin' on so that's how it was, it was presented to me and I ultimately presented it to the DA so I did tell him, I said we, we've got a firearm that best I can tell is worth \$1,500. Sergeant Cooper sold that firearm to the POA as a raffle item and reimbursed himself \$1,000 for the firearm.
- SR: Did the DA have any concerns with the fact that when the check was initially written by Sergeant Cooper, that he listed it was for reimbursement which, for this particular Angels Haven 501(c) or for the was reimbursing. Was that anything that the DA had any concerns about, the fact that he listed that he was reimbursing himself and he wrote himself a check. Was that even discussed during that initial meeting?
- JP: Well, I mean I, I, I told him, I said that's, that's what the check ultimately was for. I told him, I says I understand and I had not even at that time talked to Sergeant Cooper and gotten an explanation but that I understood that it was a check that was to be written to this group. I don't think they were made out as the payee but that it was a check that, that they were going to present to this group. Ultimately that didn't happen and so Sergeant Cooper used that check to pay himself for the gun and I don't even know if the \$1,000 was even already filled in to the, the, the amount of the check and, and I, I didn't, I had no knowledge about the check beforehand, only after hand, after the fact when I saw the check made out.
- SR: So you don't know why Cooper actually put this particular notation originally on the check.
- JP: No, but, but the, the information that I had seemed reasonable.
- SR: Okay.
- JP: That, that this was, you know, supposed to be done for the group, it didn't happen, that was the check that was used and so, and I told the DA, I said that's my understandin' about why the appearance of this check is as it is.
- SR: Okay.
- JP: And he, he asked me, he says, well, is the amount of the check more than what the firearm is worth or do you have any reason to believe that Sergeant Cooper gave himself money that he wasn't entitled to based on the sale of the firearm and I said I really don't know that but I'm kind of lookin' to you, I said, obviously it seems weird but what appearances are and what the, the actual facts of it.

SR: Right.

JP: May be two completely different things. I says I need to know from you legally do we have an issue. Is this somethin' that he is not entitled to do with his fiduciary responsibilities with the POA. Obviously as, you know, with those responsibilities, he has to protect the best interests of the POA funds.

SR: The POA has by-laws in place that pertain to spending obviously, correct?

JP: Well, they, they do although those don't always clearly address Christmas parties. Going back from my personal knowledge about servin' in the POA, there was a \$500 limit that the, that the POA could spend up to \$500 without membership approval.

SR: Right.

JP: The only exception to that and I can't say that the exceptions were written in there although usually at the beginning of the year, Christmas parties are budgeted for, that that rule was not applied to the Christmas party because many expenditures will be over \$500.

SR: Right.

JP: Whether it's raffle prizes, payin' for the food, payin' for the room.

SR: Right.

JP: The DJ, all that kinda stuff so as long as they were spending an amount that was in line with putting on the party.

SR: Right.

JP: That those were not, 'cause you couldn't call a membership into order and say, okay, can I spend \$501, then \$502 or whatever so that was not an issue and, and frankly I, I, I looked at that and I dismissed it out of hand.

SR: Okay, so you had this conversation with the DA and with Sergeant Valencia, how was that meeting, how, how did it end? What did the DA Shannon Presby tell you after you presented the information to him?

JP: Well, it's two things I presented. Number one was the actual reimbursement for the firearm but I also was concerned about whether or not the weapon had been transferred properly.

SR: Right.

JP: From the registered owner to the purchaser through a licensed firearms dealer and I said there's, there may be a bit of a twist on it because I understand that Sergeant

Cooper is not the owner of the weapon but that it, it was purchased by his wife. In fact, I may even have had the, the AFS printout at the time. I don't recall if I did but specifically that, that was the owner of record of the firearm. Now whether or not there was an issue about, well, he was the de facto owner of the weapon, I didn't get into that but I did make sure that the DA understood. I said these, this is, is part of, of the whole deal and do you have a concern with that, either technically or, you know, an over broad deal about cops buyin' and sellin' guns that they shouldn't be doin'.

SR: And how did the DA, again understanding that it was an initial meeting, how did the DA respond to that information?

JP: Well, he, he, as far as the, the DROS, dealer record of sale, he said I see this all the time. We don't prosecute them. Now understand that that doesn't make it any more or less okay. It's just not somethin' the DA's office is gonna get involved in and he said we see it all the time. A lotta times, it's either an oversight or recklessness. He said cops do dumb things and, you know, it's, it's only when it involves an illegal firearm, you know, maybe an assault weapon.

SR: Right.

JP: And there's certainly a long history of assault weapons that were purchased legally by peace officers that were then transferred to somebody.

SR: Right.

JP: Who could not possess a, an assault weapon so, and this was nowhere near that. The Kimber was a typical .45, you know, match type weapon so he said frankly, no, he says we're not gonna get involved with that and I just wanted to make sure. Now what was more important was, I said, Shannon, I'm under the gun on this thing because somebody's makin' some pretty serious allegations. Unless you have any other questions, somethin' we haven't addressed or you need more information, I said I would really like to have a rejection and he said, chief, he said that can be done but I can only do it with a criminal investigation.

SR: Right.

JP: And this was, this was just a procedural type deal so I said, okay, I understand. I said I'll, you know, take what you say and feel comfortable that I don't need to put anybody on admin leave right now but I will have this investigated criminally. I will present it to you and then we'll take it from there.

SR: And then.

JP: And that's the role that Sergeant Valencia then took on briefly.

SR: Okay, so after having that conversation with the DA, did you assign Sergeant Valencia to initially look into the criminal component of the allegations that were brought to your attention?

JP: Yes, I did.

SR: And you, was that shortly after your meeting with the, with the district attorney?

JP: Immediately.

SR: Okay.

JP: Yeah.

SR: And briefly, what did Sergeant Valencia do, just in order to cut through some of the, it's my understanding obviously that the dis, that the LA Sheriff's Department ultimately conducted an investigation regarding this matter so at the point in time that you interviewed, I'm sorry, that you spoke to the DA and then you assigned the criminal investigation to Sergeant Valencia, how long was it 'til the LA Sheriff's became involved?

JP: Well, a matter of a few days, maybe a week.

SR: Okay.

JP: What, what happened was that Sergeant Valencia started interviewing some of the individuals involved and.

SR: On the criminal investigation.

JP: On the criminal investigation, and then what happened very shortly and it was again a matter of days or, you know, maybe a week, was that members of the police association came to me and said we don't want Sergeant Valencia doin' this investigation and I said why and they said, well, because it's a conflict of interest. Sergeant Valencia is a member of the POA. I said, well, he is investigating this as a detective sergeant, not as a POA member, and they said we don't care, we object and I didn't wanna fight that battle and there was no reason to and frankly, this was probably a little bit cleaner. My only concern is, is that I know what the internal criminal investigation bureau with LASD, they're swamped.

SR: Right.

JP: And I knew this was going to take months and I said you understand that this matter is going to linger for a long, long time and they said we don't care and I said if that's your position, I said I'm comfortable with it. I, I, I contacted who assigned a captain who I then went down and, and I think maybe a week later, they were real busy, I met with the captain. I brought Sergeant Valencia with me,

we gave him as much information as we did, essentially the same thing as we told the DA and, in fact, told him, I said just so you know, we did present this to the DA to get an opinion.

SR: , I think I know the spelling, JP: SR: Okay. JP: , and honestly all it was was a letter on my behalf. I did not speak to . He just essentially authorized it to happen. One of his aides called me and said, chief, contact captain and I don't remember the captain's name. He then assigned two of his sergeants. They ultimately got to it but it was, it was quite some time later. SR: Okay, so at the point in time that you made the request of the LA Sheriff's Department to investigate the matter, did it remain, for a lack of better words, dormant with the department from that point forward until you retired as the chief? JP: Well, it didn't remain dormant as LASD started but. SR: Yeah, LASD, I mean as far as did you. JP: Administratively? Administratively, were you conducting any type of. SR: I made the conscious decision that I was not going to look at it administratively JP: until the sheriff's department did their job. I did not want to run the risk of comingling an administrative investigation with a criminal investigation with Lybarger and. SR: Right. JP: And all that kinda good stuff and honestly, too, it was kind of my opinion that if, if LASD did present a reasonable case for criminal behavior, that alone can be basis to then, you know, basically determine misconduct. SR: Right.

JP: I never did see that.

JP:

SR:

So at the point in time that you retired in March of 2013, you had not yet received

So you know, it may, may even actually save me a lotta time.

any finalized report from the LA County Sheriff's Department.

SR: Okay.

JP: In fact, I, every once in a while I inquired. I said how's it comin'. They said it's, it's coming, it's slow, we're busy, you know, every once in a while they'd come by and I'd, I'd just make sure that all of the individuals that needed to be interviewed, they were available. They did it mostly on site. Everybody was cooperative. They interviewed me for, you know, probably an hour or so and I pretty much told them the same thing I told you. I never did see any transcript or draft of that but frankly, it didn't matter. They just kind of wanted to know how I'd got to that point.

SR: Right.

JP: Which was kind of my involvement.

SR: What we discussed today basically from the point in time that you received the information.

JP: Exactly right.

SR: The steps that you took. Okay, is there any other information that you have that you believe would be relevant, I mean just correct me if I'm wrong. You didn't have any personal information about why the check was initially written, I mean back in November of 2011, and you weren't involved in the Kimber firearm being raffled off at the Christmas party either, correct?

JP: Correct.

SR: Those were two areas.

JP: Yeah.

SR: That you were not involved with.

JP: And again I, I didn't, I didn't go into a lot of the issues about the notation on the check because that would be more toward administrative misconduct if it was. Now I, just out of the box, I kinda thought to myself, I said, well, do, do I want to get involved with a POA responsibility? In other words.

SR: Right.

JP: I don't wanna be tellin' the POA what to do with their money. If, if this is criminal, then I'll deal with that. If there was somethin' sinister, maybe not risin' to the level of criminal but certainly.

SR: Uh huh.

JP: Misconduct again.

SR: Unbecoming conduct.

JP: Yeah, unbecoming but, but again, too, I mean, you know, unbecoming, that's one of those catch all phrases that's used.

SR: No, and I, I, yeah, and I, I understand I think the direction that you're, you're going but you can continue. It's, there is a difference between a criminal investigation and then you obviously were considering whether or not if it didn't rise to that level, whether or not there may have been administrative misconduct or not.

JP: Right, and there, believe me, there still would have been.

SR: Right.

JP: I mean what, what Chief Miller is doing now is what I would have done after, or a determination or at some point when he was satisfied with the results he had from the criminal investigation.

SR: Right.

JP: And whether or not there were actually misconduct involved. I did not even look into the duty manual at the time. Again, too, I mean I had some concerns that, you know, as a chief meddling in POA business that did not rise to the level of misconduct and I don't always like usin' that unbecoming because.

SR: No, I understand.

JP: It is, it's one of those catch all things that, you know, doesn't always apply.

SR: Right.

JP: And if, you know, the, whether or not there were, I, I think what I had learned in the short period of time was that when Sergeant Cooper sold the gun to the POA, there were individuals that, that knew about it, obviously

SR: Right.

JP: I think who was the treasurer and obviously doin' the expense report for the, the Christmas party. I don't know how much other POA members knew although I think that they did understand that ultimately the gun that was raffled off was raffled off by Sergeant Cooper as his personal firearm that, and again without knowin' the details of the transaction, that, that wasn't a real secret.

SR: Right.

JP: And, and honestly from early December, 2011 until roughly October, 2012, nothing was brought to me regarding, hey, what's the deal with this firearm bein' raffled off so I was kind of surprised all of a sudden that, that this came up but then again, I didn't know that these checks existed and how that transaction happened.

SR: Right.

JP: And all that kinda stuff so.

SR: Okay, anything else at all that you think is relevant before I end the interview?

JP: No, other than just one thing and there was a, there was a really good reason why I wanted to make sure that what I did here was transparent, on the up and up and that nothin' was being hidden or, or misrepresented or anything else and one of those was that some of the individuals involved in my opinion had a personal beef with Sergeant Cooper.

SR: And that was.

JP: And I was concerned that maybe this might be the motivation but I, I held back on that because anybody who's gonna make a criminal allegation, if they have evidence to support that, it has to stand on its own.

SR: Do you know why they waited until the fall of 2012 to bring this information to your attention?

JP: That I have no idea.

SR: Okay.

JP: Which, I mean it, it kind of bothers me but I, I couldn't, I, I didn't ask anybody, I says, hey, what's your motivation and really at the time, Steve, that this was brought to me, I didn't put the two events together.

SR: Right.

JP: The, the, in fact, it probably wasn't even until after that that somebody said, oh, yeah, well, this was the gun that was raffled off. I thought to myself, I said gee, I'd sure like to have a chance to win that gun.

SR: Okay.

JP: But, but there was again no, nothin' ever brought up at that time so because there was nothin' and, and for, for whatever reason it didn't seem to be a secret, nothing about that really, you know, clicked and says, hey, there's somethin' funny goin' on here.

SR: Okay.

JP: It was never at that point.

SR: Okay, that being said, then if you don't have anything else, we'll go ahead and end the interview and the time is 11:04 AM.

To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of Chief Joseph Payne by RCS Investigations and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena Police Department.

EXHIBIT W

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH

INTERVIEWED BY STEVE RODIG and DOUG WUEST

INTERNAL AFFAIRS INVESTIGATION

AUGUST 13, 2013 @ 9:15 AM AT SOUTH PASADENA CITY HALL

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC Post Office Box 29798 Anaheim Hills, California 92809-9798 (714) 779-2300

TRANSCRIPTION OF INTERVIEW WITH

SOUTH PASADENA POLICE DEPARTMENT

08-13-13

Okay, we're on the record. Today's date is August the 13th of 2013 and the time is approximately 9:15 AM. My name is Steve Rodig and present is Doug Wuest from RCS Investigations and Consulting and our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Police Association funds and the sale or transfer of a personal firearm during the time frame of December, 2011. This, the nature of this investigation involves check number 4173 which was written against a South Pasadena Police Officers Association account at First American Bank with an unknown date which was believed to be posted on or about November 29th of 2011. This interview is being recorded and we've been authorized by Chief Miller to conduct this investigation and admonish those involved to answer all questions fully and truthfully. I am gonna advise you now of your rights under the Police Officer Bill of Rights. Again, the date of this interview is August 13th of 2013. Our location is the South Pasadena City Hall. Again, this investigation is into events relating to the sale and transfer of a personal firearm and the expenditure of South Pasadena Police Association funds in 2011. Doug Wuest and I are the authorized designees assigned to investigate this matter. representative, Doug Wuest and I are the only persons present during this interview. The nature of the allegations are such that you are deemed a subject employee at this time and therefore you are entitled to representation under the Police Officer Bill of Rights. Against, this interview is being recorded and we have been authorized to communicate an order from Chief Miller that you are admonished that you are to answer all questions asked of you completely and that your answers are to be truthful. Knowingly making any false or misleading statements during the interview could be considered a separate offense that could result in discipline up to and including termination. The nature of the investigation is such that the department deems that it may have a criminal component. Therefore, I will advise you of your constitutional rights even though we are only involved in the administrative aspect of this investigation. You have the right to remain silent. If you give up the right to remain silent, anything you say can and will be used against you in a court of law. You have the right to consult with an attorney and to have an attorney present before any questions are , do you waive your constitutional right to remain silent?

No.

SR: Although you have refused to waive your constitutional rights, be advised I will now proceed with the administrative aspect of this interview. Therefore, you are now ordered to fully and truthfully answer all questions asked of you during the interview.

Your failure to do so will in and of itself constitute a disciplinary act of insubordination and could result in a recommendation of discipline against you up to and including dismissal. Statements made by you in response to this order and the threat of such discipline can not be used against you in a criminal proceeding. I will advise you of your rights under the Public Safety Officers Procedural Bill of Rights as outlined in the California Government Code. You have the right to have a representative of your choice with you during this interview and you have chosen to exercise that right, correct?

Yeah.

SR: You have the right to make your own recording of any and all aspects of this interview and it appears through your attorney you are exercising that right, correct?

Yeah.

SR: You have, you will have access to the department's recording of your interview if any further proceedings are contemplated or prior to any further interrogation at a subsequent time. There will be no more than two persons to question you during the course of this interview. If this interview is taking place during your off-duty time, you will be compensated in accordance with department procedures and you will not be released from employment for any time missed. Are you currently on or off duty?

I am off duty.

SR: This interview session will be for a reasonable period of time based on all of the circumstances and you will be allowed to attend to your own personal physical necessities. Please advise us if such a need arises during the interview. At no time will you be threatened with any punitive action or promised any type of reward or inducement. No offensive language will be used during the course of this interview. You will not be subject to visit, subject to visits by the press or news media without your express consent. Do you wish to give your express consent for such visits by the press or news media?

No.

SR: Neither your home address nor photograph will be given to the press or news media without your express consent. Do you wish to give your express consent to release such information to the press or news media?

No.

SR: And do you fully understand what I've said so far?

Yes, sir.

And are you under the influence of any medication, drugs or alcohol which may impair your ability to participate in this interview? No. sir. SR: And do you have any physical, mental or emotional disability which may impair your ability to participate in this interview? No. sir. And as authorized designees of Chief Miller, we are ordering you to answer all questions asked of you in a truthful, accurate manner. Do you understand? Yeah. SR: Okay, will. EG: Before you start asking questions, I do wanna put a couple of things on the record. SR: Okay. EG: First of all, was previously interviewed by the department concerning this same incident more than a year ago and we have not been provided with any notes or reports or recordings based on that prior interview. Second of all, it's my belief that this case is beyond the statute of limitations since the check was written in November of 2011. It's my understanding the criminal investigation didn't start until December of 2012 or sometime thereafter, after the one year expired. We are now twoand-a-half years after the incident and I believe it's improper to go forward with the investigation because under the statute, the investigation has to be completed, as well as any notice of discipline. So since you are ordering to participate, we will participate although I do believe that's an unlawful order given that we're beyond the statute of limitations and we haven't been provided any information concerning the prior statement.

SR: Okay, and for the record, our firm has been retained and through the South Pasadena Police Department been authorized to convey the directive that we did today and, and your objections or statements are noted for the record and it's my understanding that there were some discussions between yourself and another attorney regarding the recordings, as well, correct? Before the interview today, did you have any discussions with any of the city attorneys about the recordings and whether or not, or notes, whether they'd be released?

EG: Actually I did not have that conversation. I believe somebody else in my office did and we were told that we weren't going to be given anything so.

SR: Okay.

EG:	I believe that that's also an unlawful position by the city.
	Okay. Okay, and the objections are noted and we'll go ahead and begin the iew with those notes, objections noted and, and spell it for the record please.
	Sure, my full name is . That's
SR: last na	And ma'am, for the record, will you identify yourself by spelling your first and ame and the firm that you represent.
EG:	
SR:	And for the transcriber, and that's a professional law corporation out of Encino, California. how long have you been employed by the Pasadena, South Pasadena Police tment and what is your position?
years	I'm currently a so 2002.
SR:	Okay, and are South Pasadena police officers expected to avoid illegal behavior
on or	off duty?
on or	Yeah.
SR:	Yeah. And are South Pasadena police officers expected to conduct themselves in a cr as to not bring discredit upon themselves or the department, whether on or off
SR:	Yeah. And are South Pasadena police officers expected to conduct themselves in a cr as to not bring discredit upon themselves or the department, whether on or off
SR: manne duty?	Yeah. And are South Pasadena police officers expected to conduct themselves in a er as to not bring discredit upon themselves or the department, whether on or off
SR: manne duty?	Yeah. And are South Pasadena police officers expected to conduct themselves in a er as to not bring discredit upon themselves or the department, whether on or off Yeah. And are South Pasadena police officers expected to conform to local, state and
SR: manne duty?	Yeah. And are South Pasadena police officers expected to conduct themselves in a cer as to not bring discredit upon themselves or the department, whether on or off Yeah. And are South Pasadena police officers expected to conform to local, state and all laws, whether they are on or off duty?
SR: manneduty? SR: federa	Yeah. And are South Pasadena police officers expected to conduct themselves in a er as to not bring discredit upon themselves or the department, whether on or off Yeah. And are South Pasadena police officers expected to conform to local, state and all laws, whether they are on or off duty? Yeah.
SR: manneduty? SR: federa	Yeah. And are South Pasadena police officers expected to conduct themselves in a er as to not bring discredit upon themselves or the department, whether on or off Yeah. And are South Pasadena police officers expected to conform to local, state and all laws, whether they are on or off duty? Yeah. And are you currently a member of the South Pasadena Police Association? Yeah. Are you currently a member of the South Pasadena Police Association board of

SR: Did you previously serve as a board member for the South Pasadena Police Association in the past?
Yeah.
SR: And what was your position on the board?
Well, I served two terms. I served the first term as a vice-president, the second term as a president. I'm sorry, that's three terms. I also served a third time as a vice-president.
SR: When did you cease serving as a board member for the South Pasadena Police Association?
: It would have been last year I believe in August or September of 2012.
SR: So you served on the board in various capacities previously described, correct?
Yes, sir.
SR: What was your position on the association board from October, 2011 through February, 2012?
I would have been vice-president.
SR: And what was Craig Cooper's position on the association board from October, 2011 through February, 2012?
He was president.
SR: And how long did Craig Cooper serve as the president of the South Pasadena Police Association?
Well, again there were several, there were multiple terms but he ended the same I did. It would have been August or September of 2012.
SR: And are South Pasadena Police Association board members bound by established by-laws which govern membership and expenditures?
Yeah.
SR: And do the South Pasadena Police Association by-laws require that expenditures that are not previously approved and ratified in the annual budget and exceed the amount of \$500 require the approval by the majority vote of the membership?
As far as I know, yes.

SR: Associ to?	And with respect to the money that is maintained by the South Pasadena Police ation in their checking or savings account, who does that money actually belong
	It belongs to the association.
SR: respon- funds?	And as the association vice-president in 2011, did you have any oversight sibilities regarding financial matters relating to the expenditure of membership
	Yeah.
SR: from C	Okay, and what were your responsibilities regarding association financial matters october, 2011 through January, 2012?
accoun	Primarily just oversee the treasurer as far as the amount of actual money in the at, the distribution of paying bills and that type of oversight.
SR:	Do you recall what the name of the treasurer was during that period of time?
	Yes, that was
SR:	And are board members entrusted with the police association funds?
	Yeah.
SR: from C	Who had direct access to the South Pasadena Police Association checking account October, 2011 through January of 2012?
Her na that we	I believe at that time it was myself, Craig Cooper, was as a check writer. when hadn't been taken off the list. Part of that is just due to the shift differentials that where we may be there beginning of the week but not at the end of the week enced two people to co-sign the check.
SR:	And what was last name?
SR:	And do you know how to spell that for the.
	No, I don't.
SR:	Okay, we'll figure it out later and what is her position here at the department?
	She's a clerk in charge of submoenas and court dockets

SR: And did you have direct access to the association checking account which ended in the numbers 9113 during that period of time and for the record, I'll show you a copy of a South Pasadena Police Officers Association check. The check number is 4173 but the routing number on this particular check appears to be ending in 9113 and is that the checking account that you and other board members had access to in 2011 and 2012?

EG: Are you just asking if this is the, the checking account?

SR: The checking account, yes, not, not.

EG: Okay.

SR: I'm not asking about that specific check at this point in time. Do you, do you know if that's the checking account that you and the other board members had access to in 2011 and 2012?

Yes.

SR: And did South Pasadena Police Association checks have to be signed by more than one board member during that period of time?

Yeah.

SR: And what was the purpose in having two board members sign a particular check?

So that one person could not issue a check to themselves.

SR: Would it be an accurate statement that two signatures on each of the checks related to some form of accountability?

Yes, sir.

SR: And who was authorized to sign the checks when you served on the association board in 2011 and 2012?

Okay, those names that I gave to you earlier.

SR: Okay, same, same board members.

: Yes, sir.

SR: Were all authorized to sign those checks.

The only exception would have been Our treasurer did not have authorization to issue checks.

SR: not ha	And why was that process set up in that manner where the, the treasurer would we the ability to sign a check?
	was taking care of our books. There had been issues in the past our POA association or our time on the board so was ving that situation.
SR:	Okay, so that was the process that was set up at that time, correct?
:	Yes, sir.
Assoc	Okay, and this is a bit redundant but I'm just gonna read it. From October, 2011, orry, from October through December of 2011, did the South Pasadena Police iation board of directors consist of the following individuals; president, Craig er, vice-president, treasurer, and member at large,
	Yes, sir.
SR:	Okay, and then you also mentioned as.
	Yes, sir.
SR: Assoc	Being a person that served on the board. Did the South Pasadena Police iation hold a Christmas party in December of 2011?
	Yes, sir.
SR:	And do you remember what date and day of the week the party took place on?
	The date was December 15th but I don't remember the day of the week.
SR:	December 15 th , 2011, correct?
	That's correct,
SR:	And where was the party held?
	At Mijares Mexican Restaurant.
SR: go arc	And with respect to Mijares and I'm sorry to ask you for some spellings the first ound here during the interview. Do you know how to spell Mijares?
	I believe It's M-I-J-A-R-E-S.
SD.	And what city is Mijares Restaurant located in?

	Pasadena.
SR:	And were you in attendance at the 2011 association Christmas party?
	Yeah.
SR:	Was Sergeant Cooper present at the 2011 association Christmas party?
	Yeah.
SR:	And was there a raffle drawing at the 2011 Christmas party?
	Yeah.
SR: Christi	Who was the person most responsible for organizing the raffle at the 2011 mas party?
other p	That fell upon primarily Craig Cooper but also myself and then we had a few eople involved in obtaining some of the gifts.
SR: Christi	And my next question was gonna be did you have any involvement in the 2011 mas party raffle and, if so, what was it?
money	Mostly overseeing the gifts that we were obtaining and making sure that the was balancing for the gifts, as well as the party.
SR: Christi	And who was responsible for collecting the items that were raffled off at the 2011 mas party?
; people	Well, again that fell to Sergeant Cooper for the most part but there were other involved, as well.
SR:	And what items were raffled off at the Christmas party?
the ite	I don't know. I have knowledge of three different items but I don't remember all ms.
SR: raffled	Okay, which items do you, as you sit here today, which items do you recall being off at the 2011 Christmas party?
. 5 0	We had a large screen TV.
SR:	Okay.

	We had several gift coupons to a local restaurant. I don't remember the number do not remember which restaurant they were issued to, and then also the firearm raig Cooper was going to raffle off.
SR:	And that was a Kimber, K-I-M-B-E-R, firearm, correct?
	Yes, sir.
SR: Christ	And was there a Kimber firearm that was raffled off at the December, 2011 mas party?
	Yes, sir.
SR:	And how do you know that?
	My attendance at the party.
SR: by way	And was the Kimber firearm physically raffled off at the party or was it raffled off y of a certificate?
	No, sir, it was physically there.
SR:	Who won the Kimber firearm that was raffled off at the 2011 Christmas party?
	That would have been
SR:	
	Yeah.
SR: would	Was the raffle advertised in advance of the party with regards to the items that be made available?
	I don't remember.
SR:	Okay, didn't know if you remembered a flyer going out that may have had the as, as the party was being advertised.
	Don't remember.
SR: the 20	When did you first become aware that a Kimber firearm was being raffled off at 11 Christmas party?
	I don't have an exact time.
SR:	Was it before or after the party?

Before the party. SR: How did you first become aware that a Kimber firearm was being raffled off at the 2011 association Christmas party? Sergeant Cooper discussed it with me prior to, as an idea to kick around. And when you say he discussed it with you, was that discussion, did it involve SR: possibly raffling off a Kimber firearm for the December Christmas party? Yeah. And I think you just, and just correct me if I'm wrong, you indicated that you're, SR: as you sit here today you're not sure at what point in time you actually had that discussion with Sergeant Cooper? That's correct, sir, I'm not sure. Do you recall if it was weeks before the Christmas party or just prior to the SR: Christmas party? I don't remember. What was the name of the person who made the Kimber firearm available for the 2011 Christmas party raffle? Sergeant Craig Cooper. SR: And how do you know that? Because it was his firearm. When you initially had that conversation with Sergeant Cooper, what were you told regarding the Kimber firearm that was eventually raffled off at the party? What, what did he tell you about the firearm? Sergeant Cooper said it was his firearm. He was not satisfied with the weapon because it was set up with very tight tolerances and it was very hard for him to disassemble. And with respect to raffling off the firearm, did Sergeant Cooper indicate how he intended to go about doing that? I don't know if it was at that time that we talked about it.

And who did the Kimber firearm belong to that was raffled off at the 2011 Christmas party? Sergeant Cooper. SR: Okay, and again, a little bit redundant but I'm just gonna follow my timeline, how do you know that? 'Cause it was his firearm. SR: Did he tell you that it was his firearm? Yes, sir. SR: Okay. Do you know who the Kimber firearm was registered to at the time it was raffled off in December of 2011? No. At the time the Kimber firearm was raffled off at the 2011 Christmas party, did you have any concerns about doing that, as far as raffling off the firearm? No. SR: Did you have any discussions with Sergeant Cooper where there, where he voiced any concerns about raffling off the Kimber firearm for the association Christmas party? No. EG: Can we take a short break? SR: Yes, the time is 9:40 and we are going off the record momentarily. Okay, we're all back on the record. Time is approximately 9:45 AM. I think I left off with asking you if there were any discussions that involved concerns about the raffling of the firearm at the time and your statement was there was not, correct? Correct. SR: And were you personally a licensed firearms dealer in December, 2011? No. SR: And are you currently a licensed firearm dealer?

No.

SR:	And was Sergeant Cooper a licensed firearm dealer in December, 2011?
	No.
SR: in Dece	Was anyone involved in the raffling of the Kimber firearm at the association party ember of 2011 a licensed firearm dealer that you're aware of?
	No.
regulat	And as a board member in November or December, 2011, did you have any sions with Sergeant Cooper regarding the California Penal Code sections that e the sale or transfer of a firearm through a licensed dealer? Is that anything that scussed before the raffle occurred?
(i) (i) (i) (i) (i)	No.
SR: firearm	Did that even, did you even think about that as far as the sale or transfer of a as a board member back in 2011 before the firearm was raffled off?
	No.
SR: Novem	Was that anything that Sergeant Cooper brought to your attention back in ther or December, 2011?
	No.
SR: raffle onight?	Were any other board members made aware that Sergeant Cooper intended to off a Kimber firearm at the 2011 Christmas party before the event took place that
20.00	Yes.
SR:	Okay, and what other board members were aware of that?
	It would have been and and .
SR:	Detective what?
SR:	
	Yeah.
SR: at that	How did they become aware that the Kimber firearm was going to be raffled off party?

Well, I believe it had to be with reimbursement to Craig Cooper for the cost of the weapon. Was the reimbursement before or after the Christmas party? SR: I don't know. SR: Do you have any specific information whether or not any of the board members were advised that the Kimber firearm would be raffled off before the reimbursement was made? In other words, was that anything that was discussed at a board meeting? No, sir. SR: Would the raffling off of a firearm, has that ever occurred before at a Christmas party that you're aware of? I don't know. And the reason I'm asking that is if that would be something that should be brought to the attention of the board and discussed before the raffle occurred in your opinion. The fact of the raffle or the cost of the item? EG: No, whether or not a fircarm was gonna actually be raffled off, just the firearm component. We'll talk about in a, we're gonna be going into more detail in a little bit about any arrangements that may or may not have been made regarding the payment of the gun but I'm just asking in general about raffling off a firearm, taking into account that there are California Penal Code sections that, that regulate that type of activity. In other words, was that anything that was discussed at any of the board meetings? No. SR: And do you know why that was, wasn't discussed? Well, in effect, it was a two-party sale because in effect, even with the raffle, it would be an exchange from Cooper to whoever won the gun so I guess that's the way we looked at it as a two-party sale. DW: I have a quick question. Were you aware at the time that this Christmas party took place, were you aware of the penal code requirements for transferring a firearm between two parties?

At that point, no.

SR: And was the general membership made aware that Sergeant Cooper intended to raffle off a Kimber firearm before it occurred in December of 2011? I don't know. It, it may have gotten out to the members before that because there was discussion on raffle gifts and everybody was talking about gifts but I don't remember. SR: And the reason I'm asking, in the past I have seen raffles where they actually advertise what the gifts are. Uh huh. SR: Which creates a situation where people will then buy more raffle tickets. Uh huh. SR: That's why I'm asking those questions and it doesn't sound like that was actually the case for the 2011 Christmas party. No, sir. SR: Okay. We did not have gifts set up, probably about a week prior is when things started coming together so. Okay, and was the Kimber firearm donated or sold to the association so that it could be raffled off at the 2011 Christmas party if that is the case? First let me ask, was the Kimber firearm donated or sold to the association so it could be raffled off for the 2011 Christmas party? I believe it was sold. SR: And how do you know that? Because of the discussions he had with the board for accessing the money for the gun. Okay, what information did you have prior to the 2011 Christmas party regarding the Kimber firearm and the manner in which it was to be sold or transferred to the association for the raffle? Why don't you just explain to us what information you have regarding the Kimber firearm and how it was to be transferred or sold to the association before the raffle occurred. So specifically what are you asking?

SR: I'm asking were there any board meetings where the manner in which this firearm was to be sold to the association was discussed? How, how did that whole process take place with regards to the sale of the firearm to the association? Well, you'd have to look at the totality of the gifts and part of that was money that had to go to (unintelligible) for payment for a TV. There had to be money to, allocated to a restaurant to purchase those gifts and the purchase of a gun so we had several gifts that had to come out of the budget so those discussions were held not at a standard board meeting but with individual members to, again we work different shifts. Okay, which board members actually were engaged in discussions about the sale of the Kimber firearm or let me ask, strike that. Which board members were involved in discussions about the association paying for the Kimber firearm so it could be raffled off in the party? As far as I know, all the board members were aware of that. That would have been , treasurer, , myself, Cooper. Okay, and when you say you believe that they were aware of it, were you present during any conversations with those board members personally where that was actually discussed? I don't remember. And as you sit here today, why do you believe that that may have been discussed with the other board members? Did something occur after the fact that led you to believe that the other board members were aware that the Kimber firearm was going to be purchased by the association for the raffle? As I said before, we had several funds being disbursed that week or prior to that week for the other gifts, as well, so there was discussions among each of us to ascertain how much money was being spent and where the money was going but that would refer to all the gifts, not just the gun. Okay. Did you have any specific conversations with Sergeant Cooper regarding SR: how he was going to be reimbursed or paid for the Kimber firearm so it could be used in the 2011 Christmas raffle? As far as I know, the board was going to issue him a check for the gun. And is it that those discussions did not take place during any formal board SR: meetings, correct? Correct.

Did you have any discussions with board members other than Sergeant Cooper about their knowledge that Sergeant Cooper would be issued a check for the Kimber firearm? Say that again. Yeah, I'm sorry. I, I know what I'm saying but sometimes when I, I can always tell by the look on somebody's face. Did any of the other board members come to you after or before the raffle occurred and question Sergeant Cooper being paid for the Kimber firearm? I don't believe so. And, and what I, what I'm asking is I'm just specifically trying to find out what knowledge you have regarding other board members and if they specifically knew that Scrgeant Cooper was being paid for this Kimber firearm out of association funds. That, that's. I believe they were all aware of it. SR: Okay, and how do you know that is, would be my question. Well, because any time we issued checks over \$500, we needed board approval so that went to everything, from paying the bills to donating political, to our PAC fund, to funeral expenses for , all that money was, every time that check was issued for over 500, it had to be agreed among the board members. Now at an actual meeting, no, because there again we have, we each work different shifts. Did you personally have any conversations with the board members where you discussed a particular payment that was to be made to Sergeant Cooper for the Kimber firearm? I don't remember. And how, in what manner was Sergeant Cooper to be compensated for the Kimber firearm? As far as I know, he just wanted \$1,000 for the firearm. SR: And when did you first become aware that Sergeant Cooper wanted \$1,000 for the Kimber firearm? I don't remember.

SR:

Before the Christmas party?

Yeah.

SR: And I just wanna be clear before I move off of this, you do not have a recollection of there being a formal board meeting where there was approval for a payment of \$1,000 for Sergeant Cooper for the Kimber firearm, correct?

That's correct. We held no formal meeting for that but there again, sir, past practice is because we work the different shifts, when we had checks issued over \$500, they would have to be agreed upon by the board members.

SR: And that's why I asked you if you had a specific recollection of talking to any of the other board members and, where this was, this matter was discussed where Sergeant Cooper was to be reimbursed for the \$1,000 and your statement was you do not recall.

That's correct, sir.

SR: Do you have any personal knowledge whether or not Sergeant Cooper had conversations with other board members regarding reimbursement in the amount of \$1,000 for the Kimber firearm out of association funds?

I don't know.

SR: That, okay, so you don't know what Sergeant Cooper actually did, correct? As far as the.

In regards to what?

SR: As far as seeking approval for reimbursement of the, for the Kimber firearm.

Well, there would have to be discussion with the other board members.

SR: Okay, and, and do you have any personal knowledge whether or not Cooper had any of those discussions with board members?

Well, I don't know because there again, it was one of many things that we were issued money for. We had to pay for the party, we had to pay for the gifts, we had money going out for that time. I know that I was in a lotta discussions with my treasurer because our balance was low and we wanted to make sure we weren't going over the budget.

SR: And what I'm trying to determine is whether or not you had any discussions with Sergeant Cooper where he said that he obtained approval from the other board members in an informal manner.

I don't remember off hand, sir.

SR: Okay.

DW: I have one quick question. Are, when you're saying that this had to be done by the other board members, is that going on the presumption that the rules of the association were being followed? Is that your presumption?

Yes, sir.

DW: Okay.

EG: And I think he's also saying that that's practice and I think he's also saying that from his experience, any checks that he signed, he knew that there was approval for at the time but, you know, to remember two-and-a-half years later a specific conversation on a specific date and time, he can't give you that but he wouldn't have signed the check if there, if he didn't know at the time there was approval.

SR: Okay, and that's why I was asking those questions simply if you remember a specific board meeting where it was approved and you said you did not, whether or not you had any, if you recalled any specific conversations that you had with other board members outside of a formal setting and you said you did not, and you personally don't know whether or not Cooper had any conversations with other board members, correct?

As far as I know.

SR: However, with that being said, you indicated it, it was a past practice during that period of time to have those types of discussions and seek approval for expenditures outside of a formal board member setting.

Yes, sir.

SR: And you don't know whether or not that actually occurred in this particular instance.

I, as far as a date or time, no, I don't, I don't remember.

EG: But that doesn't mean that he thinks it didn't happen.

SR: Okay, do you think it did happen?

I'm sure it did.

SR: Okay, and what do you base that statement on?

Because as I said before, we issued, any, any expenditures over \$500 needed board approval. To do that, we were paying for the TV, the raffle tickets, the party, I don't remember the exact amount for everything that was paid for but I do remember that we needed discussions among each people, each of the board members to say, hey, we're buying this for this, this is our balance.

SR: Okay, anything else about that at all? Any other, do you have any other recollection of any conversations that occurred with, specific conversations that you had with Cooper or the other board members specifically related to the purchase of the Kimber firearm for the \$1,000?

I don't think so. I don't remember.

SR: Okay, and was Sergeant Cooper compensated for the Kimber firearm before the raffle occurred in December of 2011?

I do not know. I do not know when he was compensated.

SR: How much was Sergeant Cooper compensated for the Kimber firearm so that it could be raffled off in December of 2011?

We agreed on \$1,000.

SR: And when you say we, was that a conversation that took place between you and Sergeant Cooper and others or can you describe that conversation and who was present, regarding the agreement for the \$1,000.

No, I can not.

SR: Okay, you just remember that there was a, an agreement that was made with at least Sergeant Cooper for him to be reimbursed for \$1,000 for the Kimber firearm?

As far as I know, yes.

EG: And I think that what he's been telling you is that all of the board members had agreed to all of the expenditures for this party, including this \$1,000 for the gun so it's not that he's saying that those conversations didn't occur but he can't tell you who was there, when it was, the details of 'em but that conversations did happen.

SR: Okay, and the reason that I'm inquiring about it, 'cause I've interviewed the other board members and that's why I'm going into, deeply into that area because I've, I've had an opportunity to interview them about any knowledge they may or may not have regarding this Kimber firearm and whether or not the board authorized that payment so that's why I'm trying to clarify that issue in particular and I think we've covered that adequately here. When you, let me ask, did you have a conversation personally with Sergeant Cooper about him being reimbursed \$1,000 for the Kimber firearm?

Yeah.

SR: And is that an amount that Sergeant Cooper believed was a fair market rate to be reimbursed for the Kimber firearm?

	He believed it, I didn't.
SR:	Did you believe it was worth more or less than that?
	More.
SR:	And you don't recall when that conversation actually occurred, correct?
the Co	No. I, I will say, gentlemen, I had shot the weapon previously, I don't remember but the Kimber model was in particular close to what a national match model is in It family so it is a high grade weapon. I don't remember if it was adjustable sights d sights, I think it was adjustable but it was a, a, a semi-custom weapon.
SR:	So the Kimber firearm very well may have been valued at over \$1,000 in 2011.
	Oh, well over.
SR: firearn	Okay. When and how was Sergeant Cooper compensated for the Kimber n?
	I don't know when the actual check was issued. I don't, I don't remember.
SR: the Kin	Okay, and was Sergeant Cooper compensated by way of an association check for mber firearm?
	Should have been. No one would issue a personal check.
SR: for the	Did you sign a check whereupon Sergeant Cooper was compensated for \$1,000 Kimber firearm?
	I don't remember. You'd have to show me the check.
SR:	I don't have one. I'm just asking if you remember signing a check.
	I do not.
SR: firearn	Did you have any involvement in compensating Sergeant Cooper for the Kimber of that was raffled off at the 2011 Christmas party?
	As far as a board member, there was approval for the issuance of funds.
SR: your s	Okay, did you personally sign a check for \$1,000 for Sergeant Cooper and I think tatement was you don't remember.
	No, sir.

SR: One moment. Okay, directing your attention to the First National Bank check number 4173 from the South Pasadena Police Association to Craig Cooper in the amount of \$1,000, do you know specifically when that check was written? There's no date on the check. Do you recognize the signatures on check number 4173 and, if so, who do they SR: belong to? There would be Craig Cooper and SR: Did you sign check number 4173? It looks like my signature. SR: Did Sergeant Cooper sign check number 4173? It looks like his signature. SR: And you covered this before, was it common practice during that period of time for two board members to sign checks? Yes, sir. SR: And do you know when check number 4173 was posted by the bank? You have it listed here as 11-29-11. Yeah, for the record, this is a document that we received and I'm asking if you have any personal knowledge as to when that check was posted by the bank. No. Okay, and for the record, the document that we've provided today which was given to us indicates that check number 4173 was posted on November 29th of 2011 for \$1,000. Okay, and why did you co-sign South Pasadena Police Association check number 4173 to Craig Cooper in the amount of \$1,000? Well, it has a notation on the check here. It says end reimbursement for Angels Haven, something family. SR: For the record, I believe that's

, that's right.

Did you have any conversations with Sergeant Cooper before you signed check number 4173 about the purpose of the, the payment? As far as I remember and again, this stretched over a number of years, the had a child that was handicapped very severely and initially, he required massive surgeries to correct I believe it was an intestinal problem. I don't remember the specifics but after those surgeries, then there was numerous calls for the community to provide money for the family as a charitable donation and it wasn't just the POA that was solicited, it was the community on a whole. There was one point he needed a dog as a support companion. There was one point the family needed food so this was an ongoing donation to these people for a number of years and to tell you the truth, I don't remember how many years and I can't tell you if there were specific checks issued at specific times. All I know is there was a need for the family and they would contact us and say we need money. SR: And do you recall specifically when you signed this check having a conversation with Sergeant Cooper regarding its purpose. I, I, I understand that there was, you looked at the check and there's a reference, a notation to the established that the association had previously made donations and there was a need for money but what I'm asking you, when you signed, co-signed this check for \$1,000, what was your conversation with Cooper about its purpose at the time? We had paid this family thousands of dollars and I, I can't even tell you how many thousands. This check is marked as end reimbursement for the There was a point, primarily due to the budget with the POA, that we were at a very low cbb in our balance and there was a point where we were just saying we can not give these people any more money because it's, it's been ongoing for a number of years and so payment needs to stop and we need to tell them that so as far as I know, I did not have the conversation with the family but I believe Sergeant Cooper had the conversation with the family that said this is the last thousand dollars that we're going to give you, this is it. And who actually completed the check, with the exception of your signature, who actually wrote this check? Gotta be a guess on my part. I don't know. SR: Okay, does it appear to be Sergeant Cooper's handwriting or printing on the check? I don't know. Okay, so at the time that you signed the check, let me ask you, did Sergeant Cooper ask you to sign this check?

He must have.

SR: Okay, and at the sign, at the time you believe that the check was for reimbursement for the for the Angels Haven 501(c), correct?	
: Yeah, far as I know.	
SR: Do you recall any other conversations that you had with Sergeant Cooper regarding check number 4173 and specifically, why it was issued in the amount of \$1,000 at the time that you signed it?	
No.	
SR: And do you know why check 4173 was written to Sergeant Cooper personally in the amount of \$1,000 rather than the Angels Haven 501(c) or the ?	
: Don't know.	
SR: Did you ask him at the time?	
: No.	
SR: As you sit here today, do you have an explanation why Sergeant Cooper would write a, a check to himself or have a check to, issued to himself for a 501(c) rather than just directly send the check to Angels Haven or the from the South Pasadena Police Association?	
You're asking me to speculate?	
SR: Do you know first of all.	
No.	
SR: Did Cooper provide an explanation when you signed this check why it was written to him rather than the Angels Haven 501(c) or the	
No, as I explained, the notation on it is for the conversation I had with Sergeant Cooper was when we stopped paying the moncy. I don't remember the amount of money we agreed upon but I do know that we were ending, having a final payment. As to why the check is made out to him, no, I have no idea.	
SR: As the vice-president of the association, do you, as you sit here today, do you believe that would have been something that you should have asked, why Cooper was writing a check to himself for a, a donation to someone else?	
EG: Well.	

	DV CAPIU	Hindsight is great.
3.00mm.H004	BO:	And.
	SR: time, d	Well, and I'm asking at, at the time, I mean, you were a board member at the lid, were you concerned that Cooper was writing a check to himself for \$1,000 for.
		No.
	SR:	Why, and why were, why wouldn't you be concerned about that at the time?
		Because Cooper had no indications to betray my trust.
	SR:	Do you know if Sergeant Cooper ever reimbursed Angels Haven 501(c) or the for \$1,000?
		I do not have specific knowledge, no. I, but I will add that they stopped ting us after this point and if they have other contacts with the board now, I have wledge of that.
		So you don't have any personal knowledge whether or not, after this check was to Sergeant Cooper, whether or not he reimbursed the or the Angels 501(c) for \$1,000.
		I have no exact knowledge, no.
	SR:	Did you ever ask him if he ever reimbursed them for the \$1,000?
	we tall	No, because I assumed that they had with, if, if this notation was the check that ked about at the time, it's my assumption that's where the money went.
	SR:	So you don't know where the money went, correct?
		I have no knowledge, no.
	SR: 501(c)	So you don't know whether Sergeant Cooper ever reimbursed the or Angels Haven, correct?
		I know that they stopped talking to us after, and I'm assuming this check.
	SR:	Okay.
		But again, we don't have a date on it, do we?

	ption that it was gonna be for reimbursement for the or Angels 501(c) based on the memorandum that was written on the check, correct?	
	That's correct.	
SR:	Okay.	
	Based on the notation.	
DW:	I have a quick question.	
SR:	Yes.	
DW:	How do you know the stopped contacting the association?	
telepho	As far as I know, we received no more notifications as far as e-mails, letters, one calls.	
DW: Were those, did you ever have any personal contact with the that through somebody else?		
EG:	When he was on the board you mean?	
DW:	Yeah, thank you.	
No, I did not have personal contact. Well, no, I take that back. You know what. I don't know if I sent them an e-mail as far as any status. Again, this is over a several year period of time. We had the child when he was less than two years old with the intestinal issues, carried on through years after that and I may have e-mailed them or I may have talked to 'em but I don't remember right now if I did or not.		
DW: So it sounds like you were not the regular point of contact with the association. Is that correct?		
	That would be correct, yeah.	
	So the fact that you say that they ended their communication, you were just not of any communications. They could have had communications with somebody at you were not aware of. Is that correct?	
	It's a possibility, sure.	
DW:	Okay.	

	Before you and Sergeant Cooper signed check number 4173, did you or Sergeant per seek board approval for the payment of \$1,000 to the entire or the Angels on 501(c) as noted on the check?
	Because the check is over \$1,000, we would have had to have board approval.
SR:	Do you specifically remember seeking board approval or has it been too long?
	I don't remember.
SR: reme	Okay, and that, that's all you can do is just if you don't remember, you don't mber but I.
	Uh huh.
SR:	I'm gonna ask the question if you got board approval.
	Sure.
SR:	And your statement is you don't remember.
	Yes, sir.
SR: pract	Okay, and I think you indicated that anything over \$500 generally and a past ice would be to seek formal board approval, correct?
	Yes, sir.
SR: which	Was check number 4173 used to pay Sergeant Cooper for the Kimber firearm h was raffled off at the association Christmas party in 2011 or for another purpose?
	I don't know.
SR: firear	Do you know how Sergeant Cooper was eventually compensated for the Kimber m?
	I don't remember.
SR: for th	And it's your belief that this check in the amount of \$1,000 was used for again, ne Angels Haven 501(c) for the correct?
	Yeah.
SR:	Okay, so when you signed it, that was your belief.
	Vach

Sergean	And as you sit here today, you do, you don't have any knowledge whether or not at Cooper actually reimbursed either Angels Haven or the in the of \$1,000 for this check that was written to him personally, correct?
	Again, you have a notation that was made to the written on the o I'd have to base my knowledge on that.
SR:	Okay. Did Sergeant Cooper ever tell you how he was reimbursed for the Kimber?
not remeissued a some bithere wa	There again as I stated before, checks were issued for gifts prior to the party. I do ember if he received compensation at that time, if those checks were issued or at that time or if it was after the party. We did have some gifts or, excuse me, alls after the party as far as squaring it up with Mijares and I don't remember if as a alcohol tab in addition to that but there were checks issued that week and I remember a specific check.
	Do you know who placed the notation on check number 4173 regarding it being abursement for the Angels Haven 501(c) and the ?
	Again, I couldn't even tell you who wrote the check.
SR: (Okay, so you, you don't know. You don't know who placed that notation on the correct?
	Well, if it was Craig Cooper, it could been him but it could been I don't know.
gonna a Pasaden	Give me one moment. I think we've answered some of these questions that I was sk, and you don't have a specific recollection of whether or not the South a Police Association board was formally approached, the entire board, regarding 900 payment, correct?
,	Yes, sir.
SR:	And there had been prior donations made on behalf of the association to the and Angels Haven, correct?
	Yes.
	Did you sign, those prior contributions to the ecks that went to them?
	I'm sure I did.
DW:	When you say you're sure you did, do you have a recollection of it or.

	No.
DW:	Okay.
the prover t	And here's the thing. You'd have to show me the, the past checks that show. As this went on for a number of years. At those times, I was the vice-president, I was esident and I was the vice-president so, yes, I may have signed checks to that family hose, that period of time but I don't have a recollection as to how long that period the existed and I don't have knowledge of specific checks.
	With respect to the prior checks that you may have signed, do you have a specific ection of whether or not they were issued to Craig Cooper or somebody else on the personally or issued directly to Angels Haven 501(c) or the directly?
	I don't know.
SR: this p	And I just wanna be clear, you don't know why Craig Cooper wrote a check in articular manner, correct?
	That's correct.
SR:	Okay.
	If he wrote it.
	And did you have any discussions with Angels Haven about a donation that was, it be made on behalf of the South Pasadena Police Association before the check was in to Sergeant Cooper in 2011?
	I'm sorry, could you say that again.
	Yeah, yeah, no worries. Did you personally have any discussions with Angels n about a donation on behalf of the South Pasadena Police Association before check er 4173 was written?
100 A	I don't think so.
	We're almost done. And do you know why check number 4173 was issued to ant Cooper with the notation that it was for reimbursement to Angels Haven instead iting the check directly to the 501(c)?
11	I don't know.
SR:	And that's not something that Sergeant Cooper shared with you, correct?
	That's correct.

	And I asked you this before, did you find it unusual at the time that you were go the check that was made payable to Sergeant Cooper for reimbursement for the hot that it was written to him instead of directly to Angels Haven?
	No.
SR:	I think you indicated that you had a, a trust factor with Sergeant Cooper, correct?
	Yes, sir.
SR: amou	And you don't know whether Sergeant Cooper ever made a donation in the at of \$1,000 to Angels Haven using his own-personal funds for reimbursement, at?
	I don't know.
it's da the So Reque	Here's an e-mail. The top e-mail is just, I just wanna refer you to, directing your ion to an e-mail from Craig Cooper at ci.southpasadena.ca.us to and and ited November 29 th , 2011 at 3:00 AM and it's from, signed by Sergeant Cooper of outh Pasadena Police Officers Association. The e-mail was titled est. The e-mail from I'm sorry, from and there's also a, an e-from Sergeant Cooper that is also titled Request. Is a city e-mail address that belongs to Sergeant Cooper?
	Yes, sir.
SR:	And have you ever sent seen that e-mail address before?
	Yes, sir.
SR:	And that's his work e-mail, correct?
	Yeah.
this m this w unpare the in Coope 2011,	In the e-mail from Sergeant Cooper it states quote, atter to the POA board members and we have unanimously voted to contribute to corthy cause. I went onto the website you provided, www.angelshavcn.org , contheses, however, I could not find the link to make a donation. Can you provide formation in order to provide us funds. We were happy to read about how well is doing. Thank you, Craig Cooper, SPPOA, unquote. At the time Sergeant er sent the message to from the city e-mail address on November 29th did he, in fact, bring the request to the police association board pers and have it unanimously approved?
when	I don't know if he brought it to all the board members but I have a feeling that's we discussed it

SR: Okay, when you say we, are you talking about yourself and Sergeant Cooper?
Yeah.
SR: You don't know whether or not Sergeant Cooper brought this request to the police association board members where it was unanimously voted on and subsequently approved.
Well, because you don't have an amount listed in the e-mail. I don't know how much he was donating or the, the association was gonna donate so if it was under \$500, why would he need board approval?
SR: Well, I'm just asking you. This is a statement that Sergeant Cooper made. He said I brought this matter to the POA board members and we have unanimously voted to contribute to this worthy cause and so I'm asking you if you have a recollection during the time frame of November 29 th , 2011 where Sergeant Cooper approached the South Pasadena Police Association board members and unanimously voted on a contribution for the worth, worthy cause as stated in his e-mail.
Well, if he said it in his e-mail, it probably happened.
SR: Do you have a specific recollection of whether or not that occurred?
No. Again, you don't list the amounts in that e-mail as far as money so did he even need approval?
SR: Well, that's, that's not the point. The point is what Sergeant Cooper said. He said he, we have unanimously voted to contribute to this worthy cause and that's what I'm asking you, if you have a recollection of being part of the unanimous vote.
Uh huh.
SR: As stated by Sergeant Cooper in his e-mail and you said that you don't have a recollection of that.
No.
SR: Do you have any personal knowledge whether or not Sergeant Cooper later informed that the police association funds could not be used to support their cause?
There was a discussion about it but I don't, I don't, again don't remember a specific time.
SR: Do you know when that discussion took place?

É	No.
SR:	Okay, and was it between you and Sergeant Cooper?
:	Well, it could been with the other board members, too. I don't know.
SR:	Do you have any knowledge whether or not Sergeant Cooper informed or representatives from Angels Haven that association funds could not be used due death of a South Pasadena police officer?
	I don't know.
SR: their a	Were there concerns at that time with the, the money that the association had in count? I think you mentioned something about that earlier, December, 2011?
	Sure.
SR:	Okay, what were the concerns?
accept balanc obliga Legal	If we had enough money in the account. We, 2011 we had an election. We had ations going on with the city that meant they were either gonna impose on us or our contract so we had those things going in the background so as far as the e of the money, that was on a monthly basis because we have a certain amount of tions that have to be paid. There would be AFLAC bills, there would be to the Defense Fund, there would be other issues that needed disbursement on a monthly o, yes, we were concerned that we might be short of money.
money do you	And if that was the case, do you know why Sergeant Cooper would have offered a n for \$1,000 to be raffled off and, and subsequently ask the association for that if there was a shortage of funds. In other words, why is he asking for a thousand, know why he was asking for \$1,000 for a gun for a raffle if there was, in fact, a ge of funds at the time?
\$1,000	The shortage of funds would have to be in consideration of the total amount of gifts that we were buying, the total cost of the party at the time so whether the was part of the conversation, I couldn't tell you but we had other conversations g with the amount of raffle gifts, dealing with the party and those expenditures.
	Was the association upside down on that party with respect to the amount of that was collected through ticket sales and then subsequently the expenses that ed? Do you know if they were upside down?
	The association did not charge their members for the tickets. The member and his rethe member and his significant other was comp, was paid for by the association to the party.

SR: Do you know if the association was upside down in the final payment. After all the expenses were paid out, were they upside down for the 2011 Christmas party?
I don't believe so.
SR: So you don't have any information why Sergeant Cooper as the president chose to seek reimbursement for \$1,000 for the gun for the raffle.
Say that again.
SR: Sergeant Cooper asked for reimbursement for \$1,000 for the Kimber firearm, correct?
Yeah.
SR: And what I'm saying is if, if the association was having financial difficulties at the time, I'm just wondering if you had any conversations with Cooper about why he was, in essence, charging the association \$1,000 for that gun instead of just simply donating it.
It's a \$1,500 gun.
SR: Okay.
I thought that was fair compensation.
I thought that was fair compensation. SR: And was the firearm actually sold to the association based on the fact that they paid Cooper for the weapon?
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SR: And was the firearm actually sold to the association based on the fact that they paid Cooper for the weapon? No, but it was between association members. That sale of the weapon was between association members. It wasn't going out, the raffle wasn't to the general public.
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I don't remember a conversation with him along those lines.

SR: Okay.

DW: You know, I just have a couple and I missed something back in the beginning that maybe was answered. The \$500 threshold for expenditures, does anything over 500, does it also require general membership approval if it's not already in the budget?

No, because you, you're saying, you're assuming that there's a budget. There's assuming, you're assuming that there's a yearly budget. Is that correct?

DW: Well, let me re-word it a different way. Does the board, is the board allowed to expend any amount of money it chooses to without going to the general membership?

: No.

DW: What's your threshold for going to the general membership?

That would be a good question. I don't know.

DW: So when you spend this check for \$1,000 for Angels Haven, you don't know if that meets the threshold for going to the general membership or not?

Well, here let's use the example of the party itself. The party was done every year. People expected the party. As far as how much was spent on the party, no one cared. No one said anything. The money people knew was going to be spent on the party. Monthly payments to LDF, to the other things, the, the association knows that money is going to be spent on those things. It's not agreed upon at the beginning of the year, it's this budget, this is what we're gonna spend on this and this. There's not a general meeting on that.

DW: No, but I guess I'd go back to my original question. When you signed this check, did you know whether or not this met the threshold for going to the general membership? I understand your explanation but my question is specific to this check. Did you know if this check met the threshold or not?

EG: I think that what he's telling you is that the practice in his experience was that they didn't go to the general membership for any expenditures so there effectively wasn't a limit because over 500, they had to get board approval but there was nothing that, in his experience, they ever got membership approval for.

DW: I understand that but my question still is did he know whether or not this check met the threshold and if he doesn't, he doesn't but I would just like him to answer that question.

You're.

DW: And that hasn't been answered yet I don't think. You're setting a threshold. No, I'm not saying a threshold. I'm asking you if this check was over or under the threshold if you know. And what would I base that on? DW: Your knowledge. And the by-laws that are in the police association, there's written by-laws that pertain to reimbursements that are in your, clearly stated in your by-laws. Okay, well, I don't remember. DW: Okay. That's all we wanted to know. There, there are in your, in your association bylaws, it's clearly stated in there and the reason we're asking, I mean the board members, at least it would be an expectation that they should know what, what those by-laws involve so there are by-laws that regulate expenditures over certain amounts so that's why we're asking that. Uh huh. SR: Okay, Doug, do you have anything else at all? DW: That was all. And just one last e-mail, it's from SR: POA Christmas party, itemized expenditure list and it's dated January, I'm sorry, it's dated January 9th of 2012 and it's regarding the from Craig Cooper to POA itemized expenditure list. Is that something that you've ever seen before where it documents the various items that we talked about today, seven items? I've never seen this before. Okay. Does that appear to be an accurate reflection from what you remember of the items that were raffled off in, at the December, 2011 Christmas party? Well, according to that list. And it does indicate that Craig Cooper was reimbursed \$1,000 for the Kimber .45 SR:

caliber handgun, correct?

	I'm assuming that's for Cooper. I don't remember buying the movie tickets.
SR:	Qkay.
	I'm sure I got 250.
SR:	Okay.
	(unintelligible)
SR: \$1,000	But for Cooper, it does indicate that there was, under notation number two, for a Kimber .45 caliber handgun and it has Cooper's name next to it, correct?
	From that e-mail, it would indicate that, yeah.
SR:	I don't have anything else. , do you have anything else?
DW:	I do not.
SR:	Do you have anything else that you'd like to add today?
e e	No, can I just see the date of that e-mail. Okay. No, nothing.
SR:	We're gonna be going off the record. The time is 10:40 AM. Thank you.
transcr	best of my knowledge and ability, the above transcript is a true and accurate iption of the recorded interview of limited limited by RCS Investigations insulting LLC, transcribed by Bunnie Haas for the South Pasadena Police

Department.

EXHIBIT X

SOUTH PASADENA POLICE DEPARTMENT

INTERVIEW WITH SERGEANT CRAIG COOPER

INTERVIEWED BY STEVE RODIG and DOUG WUEST

INTERNAL AFFAIRS INVESTIGATION

AUGUST 16, 2013 @ 10:00 AM AT SOUTH PASADENA CITY HALL

Transcribed by Bunnie Haas

RCS Investigations and Consulting LLC
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TRANSCRIPTION OF INTERVIEW WITH SERGEANT CRAIG COOPER

SOUTH PASADENA POLICE DEPARTMENT

08-16-13

SR: Okay, we're on the record. Today's date is August the 16th of 2013 and the time is 10:00 AM. Our location is the city of South Pasadena. We're at the city hall. My name is Steve Rodig and present is Doug Wuest from RCS Investigations and Consulting and our firm has been retained to conduct an administrative investigation into events involving Sergeant Craig Cooper with respect to the expenditure of South Pasadena Association funds and the sale and/or transfer of a personal firearm during the time frame of December, 2011. This interview is being recorded and we have been authorized by Chief Miller to conduct this investigation and admonish all of those involved to answer questions fully and truthfully and, Sergeant Cooper, did you receive any written notice from the South Pasadena Police Department directing you to participate in this administrative investigation today and to answer all questions asked of you fully and truthfully?

CC: Yes, I did.

SR: You are the subject of this administrative investigation. The nature of the allegations is such that you are deemed a subject employee and therefore entitled to representation under the Police Officer Bill of Rights. Again, this interview is being recorded. We have been authorized to communicate an order from Chief Miller that you are admonished to answer all questions asked of you completely and that your answers are to be truthful. Knowingly making any false or misleading statements during the interview could be considered a separate offense that may result in discipline up to and including termination. The nature of the investigation is such that the department deems that there may be a criminal element. Therefore, I will now advise you of your constitutional rights even though we are only involved in the administrative aspect of this interview. You have the right to remain silent. If you give up the right to remain silent, anything you say can and will be used against you in a court of law. You have the right to consult with an attorney and have an attorney present before any questions are asked and, Sergeant Cooper, do you waive your constitutional right to remain silent?

CC: No, I don't.

SR: Okay, although you have refused to waive your constitutional rights, be advised that we will now proceed with the administrative aspect of the interview. Therefore, you are now ordered to fully and truthfully answer all questions asked of you. Your failure to do so will in and of itself constitute a disciplinary act of insubordination and could result in a recommendation of discipline against you up to and including dismissal. Statements

made by you in response to this order and the threat of such discipline can not be used against you in a criminal proceeding. At this time, I will advise you of your rights under the Public Safety Officer Procedural Bill of Rights as outlined in the California Government Code. You have the right to make your own recording of any and all aspects of this interview and it appears that through your attorney, you are exercising that right, correct?

CC: Yeah.

SR: You will have access to the department's recording of your interview if any further proceedings are contemplated or if any further interrogation at a subsequent time. There will be no more than two persons, obviously Doug and I, to question you during the course of this interview. If this interview is taking place during your off-duty time, you will be compensated in accordance with regular department procedures and you will not be released from employment for any time missed. Are you currently on administrative leave?

CC: Paid administrative leave, correct.

SR: This interview session will be for a reasonable period of time based on all the circumstances and you will be allowed to attend to your own personal physical necessities. Please advise us if such a need arises during the interview. At no time will you be threatened with any punitive action or promised any type of reward or inducement. No offensive language will be used during the course of this interview. You will not be subject to visit by the press or news media without your express consent. Do you wish to give your express consent for such visits by the press or news media?

CC: No.

SR: Neither your home address nor photograph will be given to the press or news media without your express consent. Do you wish to give your express consent to release such information to the press or news media?

CC: No.

SR: And do you fully understand what I've said so far?

CC: Yeah.

SR: And are you under the influence of any medication, drugs or alcohol which may impair your ability to participate in this interview?

CC: No.

SR: And do you have any physical, mental or emotional disability which may impair your ability to participate in this interview?

CC: No.

SR: And as authorized designces of Chief Miller on behalf of the city of South Pasadena, we are now ordering you to answer any and all questions asked of you in a truthful manner and do you understand the admonishment?

CC: Yes, I do.

SR: Thank you.

Before we start with the questioning, I wanna put a few objections on the record. First of all, I believe that this entire investigation is illegal in that it is an investigation into nothing more than internal union business with regard to the union's expenditure of their own funds. It is absolutely an unfair labor practice charge for management to in any way interfere or become involved in those issues. If it is, in fact, a completely civil dispute between the union members and the union and if any union member believes that the funds were improperly expended or in violation of any by-laws or rules, then it's, they have a civil action against the union for that. It is completely unlawful for management to inquire. Second of all, this allegation has been fully investigated by the Pas, the South Pasadena Police Department already and by the sheriff's department already. This third investigation is clearly retaliation against Sergeant Cooper for both his actions as a union member and a union leader and, in addition, for his whistle blowing action in reporting to the city misconduct of other officers. The case is also completely barred by the statute of limitations. It's been more than one year since the department has been aware of the allegations and the statute requires that the investigation be completed, as well as any discipline be imposed, within one year of that knowledge. So I would put those objections on the record. I understand you're going to still order Sergeant Cooper to answer questions but I would like it known that this is a completely unlawful investigation in that it, management has no right to inquire into internal union issues.

SR: Okay, and we will proceed today based on the request by the city to move forward with this investigation and your objections are noted. They will be obviously included in the transcripts that, of the work product that is given to the city of South Pasadena. Okay, and Sergeant Cooper, will you state your name and spell it please.

CC: Craig Cooper, C-R-A-I-G, C-O-O-P-E-R.

SR: And let's have everybody else identify themselves. Ma'am, if you could just identify yourself by stating your, and spelling first and last name and we'll just go around the table.

EG: Sure. Sergeant Cooper and my name is spelled , last name is

SR: Ma'am.

MB: Yes, thank you. I'm Marla Brown, M-A-R-L-A, last name Brown, B-R-O-W-N. I am Sergeant Cooper's civil attorney here on (unintelligible), sir.

SR: Thank you. Doug.

DW: Doug Wuest, RCS Investigations.

SR: Okay, and Sergeant Cooper, how long have you been employed by the South Pasadena Police Department and what is your position?

CC: Just over 10 years and I'm a Patrol sergeant.

SR: And are South Pasadena police officers expected to avoid illegal behavior on or off duty?

CC: Yes, they are.

SR: And are South Pasadena police officers expected to conduct themselves in a manner as to not bring discredit upon themselves or the department whether on or off duty?

CC: Of course.

SR: And are South Pasadena police officers expected to conform to local, state and federal laws whether they are on or off duty?

CC: Yeah.

SR: And are you currently a member of the South Pasadena Police Association?

CC: I am.

SR: And are you currently a member of the South Pasadena Police Association board of directors?

CC: No, I'm not.

SR: Did you previously serve as a board member for the South Pasadena Police Association?

CC: Yeah.

SR: And what was your position on the board?

CC: I held the positions of vice-president and president.

SR: And how long did you serve in those two capacities?

CC: About eight years.

SR: Do you recall when it was that you began to serve as either the president or vicepresident and at what point in time you stopped serving in either one of those capacities?

CC: Okay, so eight years ago, two years after I got hired, I became president and then I held vice-president back and forth president, (unintelligible) by-laws, and I stopped becoming the president I believe it was October of 2012, on or about.

SR: And what was your position on the association board from October, 2011 through October of 2012?

CC: I was the president.

SR: And what was position on the association board from October, 2011 through February of 2012?

CC: Vice-president.

SR: And are South Pasadena Police Association board members bound by established by-laws which govern membership and expenditures?

CC: Yeah.

SR: Do the South Pasadena Police Association by-laws require that expenditures not previously approved and ratified in the annual budget and exceed the amount of \$500 require the approval by the majority vote of the membership?

CC: That's correct.

SR: And who does the money belong to that is maintained by the South Pasadena Police Association in their checking and/or savings account?

CC: To the membership.

SR: As the association president in 2011, did you have any oversight responsibilities regarding financial matters relating to the expenditure of membership funds?

CC: Yeah.

SR: And what were your responsibilities regarding association financial matters from October, 2011 through January, 2012?

CC: Some disbursements, planning events, basically checking with our treasurer, making sure what money was going where and how much we had and accounting for money as far as political action fund and union business.

SR: And as one of the board members, were you partially entrusted with the police association funds from October, 2011 through January, 2012?

CC: Yeah.

SR: Who had direct access to the South Pasadena Police Association checking account from October, 2011 through January of 2012?

CC: It should have been all of the board members. They were all on the signature card from the bank.

SR: And did you personally have direct access to the association checking account which ended in the numbers 9113 during that period of time?

CC: I don't recall the exact account number but I did have access, yeah.

SR: Is there just one checking account that you're aware of that's used by the association?

CC: There was one primary that I used.

SR: Okay, and a little bit later in the interview, we'll go back to that. I actually have a copy of a check and that particular check that I'll be asking you about, just for the record, does end in 9113.

CC: Understood.

SR: And did South Pasadena Police Association checks have to be signed by more than one board member during that period of time and again, I'm referring to October, 2011 through January, 2012.

CC: Typically, yes, however, I don't remember the time line but there was a mix-up at the bank where our new checks came and there was only position for one signature but two signatures are normally typically required.

SR: What's the purpose in having two board members sign a check?

CC: Obviously for oversight that you don't have someone obviously going rogue and spending a bunch of money without the association knowing.

SR: And during that period of time, who was authorized to sign checks when you served as the board president and we'll use the time frame October, 2011 through January, 2012.

CC: Myself, and I believe was still on the account.

SR: From October through December, 2011, did the South Pasadena Police Association board of directors consist of the following individuals; president, Craig Cooper, vice-president,

CC: We were, we were without a fifth member for a period of time. I don't remember that time frame but I believe during some, or during that time was on but then stepped down and we were trying to fill her position.

SR: What is her position at the South Pasadena Police Department?

CC: She was the member at large.

SR: And is she a civilian employee?

CC: Yes, she is.

SR: Did the South Pasadena Police Association hold a Christmas party in December of 2011?

CC: Yes, they did.

SR: And do you recall what date and day of the week the party occurred?

CC: I believe it was on a Saturday. Don't remember the exact date.

SR: Before Christmas?

CC: Yes, most definitely.

SR: I think our prior interviews have indicated I believe on or about December 15th so I may refer to that date with the understanding that you're not sure.

CC: That sounds about right.

SR: And where was the party held?

CC: At Mijares Mexican Restaurant in Pasadena.

SR:	And were you in attendance at the 2011 association Christmas party?
CC:	Yes, I was.
SR:	Was present at the 2011 association Christmas party?
CC:	Yes, he was.
SR:	And was there a raffle drawing at the 2011 association Christmas party?
CC:	Yes, yes, there was.
SR: Christi	Who was the person most responsible for organizing the raffle at the 2011 nas party?
CC:	It was a shared responsibility, myself, I believe helped also. It was not, one person didn't have more than the It was, it was a joint effort.
SR:	And what was your involvement in the 2011 Christmas party raffle?
with	I provided a handgun for the raffle. I purchased meal tickets at a local restaurant ere giveaways. I purchased a watch also that was a raffle prize and coordinated who is a family member, owns the restaurant, so I did a lot of the nating of the dates and times to book the venue through him and.
SR:	Just, just for the transcriber.
CC:	Yeah.
SR:	Do you happen to know how to spell the last name of
CC:	It's
SR:	And that's a male.
CC:	Yeah.
SR: were e	And there were other individuals that were also involved in collecting items that wentually raffled off at the 2011 Christmas party, as well, correct?
CC:	Correct.
	You described the items that you were involved with collecting for the raffle, just best of your recollection what were the other items that were collected by the other ers for the raffle?

There was a large screen TV, there were some movie passes, like movie packages. and that's all that comes to mind. SR: And was there a Kimber firearm raffled off at the 2011 Christmas party? CC: Yes, there was. SR: And how do you know that? CC: I provided the gun for the raffle. SR: And who won the Kimber firearm that was raffled off at the party? CC: Was the raffle advertised in advance of the party with regards to the items that SR: would be made available? I know we announced that there would be giveaways. I don't know if we announced what was gonna be given away. And you were the person that actually made the Kimber firearm available for the SR: 2011 Christmas party raffle, correct? CC: Correct. And who did the Kimber firearm belong to that was raffled off at the 2011 Christmas party? Well, on paper it belonged to, my ex-wife purchased it and DROS'd it and she provided it to me as a gift. SR: And what was her name? CC: SR: CC: Correct. SR: Was she the registered owner of the Kimber firearm? CC: Yes, she was.

And she gave the weapon to you as a gift at some point in time, correct?

SR:

CC: Correct.

SR: Approximately what year did that occur?

CC: I believe it was late 2010 or early 2011. I think it was late 2010.

SR: Just give me a moment. Some of these questions we may have already answered. So the Kimber firearm was registered to.

CC:

SR: thank you. Did you have any concerns at the time about the Kimber firearm being raffled off at the 2011 Christmas party?

CC: No.

SR: Did anyone else that you spoke to that was aware the Kimber firearm would be raffled off voice any concerns about using a weapon and raffling it off as a gift?

CC: Not to my recollection, no.

SR: And were you a licensed firearm dealer in December of 2011?

CC: No.

SR: And are you currently a licensed firearm dealer?

CC: No.

SR: Was anyone who was involved in the raffling of the Kimber firearm at the association party in 2011 a licensed firearm dealer?

CC: Not to my knowledge.

SR: As a South Pasadena Police Association board member in November or December, 2011, did you have discussions with anyone serving on the board regarding any applicable legal sections of the California Penal Code that regulate the sale or transfer of a firearm through a licensed dealer?

CC: I don't remember.

SR: And, and what I'm asking there is with respect to raffling off the firearm if you recall having any conversations with anyone else on the board about the provisions that are outlined in the California Government Code regarding the sale and/or transfer of a weapon.

I don't remember, I don't recall. I mean I am fully aware that there are regulations. SR: You just don't remember whether or not you actually talked about it with. CC: Discussed it with somebody, correct. SR: Were any of the board members made aware in advance that you intended to raffle off a Kimber firearm at the 2011 Christmas party? CC: Yeah. SR: And what were their names and how were they made aware of that information? CC: and it was through discussions that we had before the upcoming party of what items we were gonna produce. And just briefly, what did you convey to regarding the raffling of the Kimber firearm? and I had a discussion. I was initially gonna donate it to the, to the POA and then through conversation, I can't believe, I can't remember who brought it up, it was either him or I, but just said, hey, listen, this is an expensive gun. Let's, let's let the POA pay somethin' for it and I don't remember how we came up to \$1,000. Gun was valued at a little over 1500 and we settled on an even 1,000 and when was made aware of it was just simply when I said, hey, listen, this is what we're doing. What do you think and he was a go. When did those conversations take place regarding the arrangements that you just SR: described? CC: Maybe a month, month-and-a-half before the Christmas party. And you specifically recall having those conversations with was the treasurer at the time and who was the vice-president, correct? CC: Correct. A moment ago, you talked a little bit about an amount that was decided upon for the firearm. Can you provide a little bit more detail as to that conversation and who it was with regarding the \$1,000. CC: Yes. SR: That was settled upon.

CC: It was myself and and I, like I said, I don't remember if he brought it up or I brought it up. I don't remember how we came to that amount. I guess it just seemed like a fair amount, given the value of the gun. I initially just wanted to get rid of it. I was gonna donate it as just a free raffle prize and then said, well, no. I mean this is an expensive gun, let's not do that and more discussion came about it between and I and as far as that's where we, we ended up on \$1,000, I don't remember who brought up what or how we came to that amount.

SR: And were the other board members, other than the two that you've just named, contacted about the arrangements for the association to pay \$1,000 for the Kimber firearm?

CC: I don't believe so. We had the three votes so we felt confident that we had board approval so there was no need to contact anybody else.

SR: And did those discussions actually occur at a formal board meeting or in a informal manner?

CC: Informal.

SR: So when you say there was three votes, you're, you had conversation with two other individuals so the president, the vice-president and the treasurer would have been the three votes that you're describing, correct?

CC: That's correct.

SR: And when you say votes, you're, they're aware and they've, it wasn't a formal vote is what I'm asking.

CC: No, it wasn't formal but we know that if it was gonna, like we discussed it, we agreed upon it and we moved forward with it.

SR: And was the general membership made aware in advance that you intended to raffle off the Kimber firearm in 2011 and you would be reimbursed \$1,000 for it?

CC: I don't remember, like I said before, I don't remember if I told people what we were gonna raffle off. I just simply said, hey, it's gonna be a great party. We're going to be having a raffle.

SR: Do you recall any specific conversations with any of the general membership about the agreement between yourself, for being compensated \$1,000 for the Kimber firearm?

CC: I discussed it pretty much with everybody I passed, they were talkin' about it. I just, you know, hallway conversation. Many people knew what we were gonna to be

doing, you know, pretty much everybody on my shift at the time knew and we talked about it frequently and openly. This wasn't like a big secret.

SR: Did they know that you were gonna be compensated for the firearm?

CC: Yeah.

SR: Okay, and that would be the general membership, people you talked to in passing?

CC: Correct.

SR: Was the Kimber firearm donated or sold to the association so it could be raffled off at the 2011 Christmas party?

CC: It was sold.

SR: And were you subsequently compensated for the Kimber firearm before the raffle occurred in December, 2011?

CC: Well, that's not exactly how it happened. That's a very long winded question or the answer to your question.

SR: Okay.

CC: Ultimately I was, I was paid \$1,000 for the gun but it, there was a little bit longer, bigger, bigger story behind it.

SR: And we're gonna, I'm trying to keep this in a chronological order right now.

CC: I totally understand.

SR: No, no, so I'm not.

CC: Okay.

SR: 'Cause we're gonna ask for a full explanation on.

CC: Okay.

SR: On how that whole process.

CC: Okay.

SR: Worked out and I suspect that it will have something to do with the second component of our investigation regarding.

CC: I'm sure it will.

SR: A check so.

CC: Yeah.

SR: Just with that being said, as we're working through these questions if we miss anything, just let us know. You're obviously gonna have an opportunity to be fully heard today regarding this entire matter so at this point in time, I'll keep working through in a chronological order but I, I do plan on asking you how all of that, that process occurred so.

CC: I understand.

SR: And I think we're gonna cover it but if we don't obviously I, I need to hear further from you.

CC: Okay.

SR: Ultimately, how much were you compensated for the Kimber firearm so it could be raffled off at the 2011 Christmas party?

CC: \$1,000.

SR: And the agreement for you to be paid the \$1,000 occurred before the Christmas party took place on or about December 15th, 2011.

CC: That is correct.

SR: Okay, can you describe in detail when and how you were compensated for the Kimber firearm and the circumstances in which that occurred.

CC: Okay.

SR: So let's, let's break it down rather than just, as you're moving through, you know how difficult it is to ask somebody a question then have a, a 10-minute response.

CC: Yeah.

SR: So with that in mind, help us out here and just let's break down that process and just begin and I may cut you off at one point in time, have a follow-up question, then we'll get back to the question so.

CC: Understood.

SR: Okay.

CC: I'll be as short and concise as I can.

SR: Well, you, but just whatever, you need to say whatever you, you know, whatever information that you have so I'll re-read the question.

CC: Okay.

SR: How much were you compensated for the Kimber firearm, I'm sorry, describe in detail when and how you were compensated for the Kimber firearm and the circumstances in which it occurred.

CC: Okay, initially I was, I wrote a check, my, myself and signed it, to myself for \$1,000. However, that check was originally earmarked for a donation to a local family for an adoption process. The lady needed 3500. She came to us 'cause we had helped her in the past with a large amount of money when her son was sick so she thought she could rely upon us so I said, okay, I'll see what I can do and through conversations back and forth, we ended up, I ended up cutting a check to myself for \$1,000 because the fund that I was putting it into, I was only able to access it on line with a credit card and we don't have a credit card in the POA so I cut the check to myself and was going to redistribute, re-distribute the money on my ATM debit card which I've done many, many times with a lotta money for stuff that I've spent and been reimbursed for and was going to put it on this account through my debit card.

SR: And with respect to the check that you're talking about and we're gonna be asking more questions about that.

CC: Yeah.

SR: Later on. Just for the record now, check number 4173 was written against the South Pasadena Police Association account. The check is made payable to Craig Cooper. It's for \$1,000. It is not dated. Is that the check that you're referring to?

CC: Yeah.

SR: Okay, and we'll talk more about that in a moment. I just wanted to go on record and establish that check number 4173 is the one that you were referring to.

CC: That's correct.

SR: Okay, so at what point in time did you decide that, well, let me ask you this.

CC: Yeah.

SR: The money that is originally earmarked on check number 4173 was for \$1,000, correct?

CC: That is correct.

SR: At some point in time, did you make a decision to use the \$1,000 earmarked for the, for reimbursement for the Angels Haven 501(c) to reimburse yourself for the firearm?

CC: I'm sorry, repeat the first part of that question.

SR: Yeah. With respect to the \$1,000 that's documented on this check, at some point in time did you make a decision to use that \$1,000 that was originally earmarked for the Angels Haven 501(c) and the at some point in time did you decide to use that \$1,000 for the sale of the firearm?

CC: Ultimately, yes.

SR: Okay, and when did that occur? I'm trying to establish a timeline here.

CC: I totally understand and it's almost two years old so I'm having difficulty, too, but bear with me. who's our treasurer, when it came time, it was after the Christmas party and we had spent a lotta money and we're tryin' to reconcile the books, I went to and I said, listen. I still have this \$1,000 that I have held on to which we're not gonna end up using to support this family for an adoption, what do you want me to do? I asked him, do you want me to cut a check from my personal account to reimburse it for transaction and tracking purposes. He says, no, my books are straight, just keep it 'cause we know where the money went and it's all accounted for. All of our, our books are balanced and that was a conversation that we did comin' out of the briefing room. He was goin' in, it was right in front of the POA office. A timeline, it was sometime after the Christmas party when it came time to reconcile the books to make sure everything was accounted for.

SR: And after December 15th, 2011, was that when you made arrangements or decided to keep the \$1,000 for the sale of the firearm?

CC: That discussion that I just described between myself and was when the decision, I can't call it my decision. It was more of a joint decision. I'm talkin' to our treasurer who I have the utmost confidence in. He was a CPA in his former career so I asked him for our tracking purposes, would you like me to cut a check from my personal account to cover the thousand, that way we can reconcile the books and track the money and he says, no, my books are, are straight. Just keep the thousand that we had earmarked for the charity in place of the thousand for the gun. Hopefully, the, I hope that answers your question.

EG: Was the question whether that was before or after the party?

SR: And I think he answered that it was after the party.

CC: It was after the party.
EG: He did say that.
SR: He did. He had the discussion with the party where there, they decided upon an arrangement for him to keep the \$1,000 that had originally been earmarked for the
CC: That's correct.
SR: Prior to December 15 th , 2011 which was the date of the Christmas party and the raffle, did you have any intentions whatsoever to use the \$1,000 that was earmarked originally for the linear party and the for the firearm that was ultimately donated for the raffle?
CC: Absolutely not.
SR: And I, I think we covered this carlier but and correct me if I'm wrong, there were conversations prior to the raffle between yourself, where it was agreed upon that you would be compensated for the firearm, correct?
CC: That's correct.
SR: Were there any specific discussions prior to the raffle on December 15 th , 2011 specific to how you would be compensated for the firearm?
CC: No, no, I mean I'll give you an example. I, I paid \$500 cash outta my pocket for DJ and this money was going out, coming in and then at the end is when we reconcile the books. It's like, okay, here's all of our tracking. This is where all the money went because I, I have to keep track of money because I was spending out of pocket on things which I've done in the past.
SR: Uh huh.
CC: And I just cut a check later on and that's what happened in this case, you know. Money was goin' out, money was comin' in and then at the end, we reconciled the books and it was done sometime right after the party.
SR: And with respect to the reconciliation of the books, did that occur after an e-mail you sent an e-mail to where you laid out specific items from the party and, and what I'm referring to now is a, an e-mail dated September 21 st , I'm sorry, January 9 th of 2012 that's from Craig Cooper to and the subject is POA Christmas Party Itemized Expenditure List. Would that have been the approximate time frame when you had that conversation with
CC: Yeah.

SR: Regarding the check that was written originally to the you were gonna be compensated for the firearm.

CC: That is correct.

SR: And under what circumstances did you respond or send this e-mail to ? Did he request some type of reconciliation document?

CC: No, I don't believe so. I just, I just knew that we needed to reconcile the books 'cause we had a lotta funds that we needed to keep track of and him as a CPA has to have this, you know, in order so, so we talked about it and I said, okay, you know, I'm gonna draw somethin' up for you and I'm gonna send it to you. That way you have tracking.

SR: And I think we covered this. I'm just gonna repeat some of these questions and I'll, won't necessarily have to again. I'll make sure that my understanding of what you've already stated is correct. Did any other board members know in advance that you would be compensated from association funds for the Kimber firearm that was raffled off in the December, 2011 Christmas party. You've already indicated that you did have conversations with about being compensated, however, was not specific as to how that compensation would occur.

CC: That is correct.

SR: Based on the association by-laws, should the compensation for the \$1,000 for the Kimber firearm have been approved by the, the entire board or the general membership in advance?

CC: Well, a Christmas party is a budgeted item and I've organized I believe at least three and we always have a rough amount we go by and we don't check in with the POA every time we do. This, this \$1,000 was a part of a giveaway for the Christmas party and the Christmas party was a budgeted item so therefore I don't have to go to the membership for approval 'cause it's a budgeted item.

SR: Okay, directing your attention back to the First National Bank check, number 4173, from the South Pasadena Police Association to Craig Cooper in the amount of \$1,000.

CC: Yeah.

SR: When was that check written?

CC: Okay, there's no date on the check. I would say, I don't know specifically, sometime obviously before the Christmas party. I'm thinkin' approximately, you know, I don't wanna speculate. It was, it was a couple of months, maybe three months before the Christmas party.

SR: And do you recognize the signatures on check number 4173 and who do they belong to?

CC: Myself and

SR: You did sign check number 4173, correct?

CC: Yes, I did.

SR: And signed check 4173.

CC: Yes, he did.

SR: And was it common practice during that period of time for a board member to sign a check that was made payable to themselves? In other words, why did you make this check payable to yourself and was that a common practice that occurred during that period of time?

CC: Absolutely. I, I've written many checks to myself and if you check the books, Baker to Vegas is one of our big annual events. I'll go out, use my ATM credit card, debit card, rent a van, pay for gas, transportation costs and then when I come back, I say okay, I spent X amount of dollars and I would cut myself a check and that always required two signatures so whenever the treasurer or whoever I had signin' the check, I would say okay, listen, here is my receipts, here's my timeline. I need this much money and he says okay, and then he would double sign my check and the, the fund, the funds were replaced.

SR: When did you, let me ask you, did you subsequent to signing this check cash it in some means? Did you place it into a personal account?

CC: Yes, I placed it into my ATM debit account which I use primarily for the disbursement and repayment of funds to POA costs, reimbursement costs.

SR: Do you recall when you actually deposited that check number 4173 into your personal account?

CC: No, 1 don't remember.

SR: It's our understanding that it was posted to the bank on November 29th, 2011 and I know you don't know, you've already indicated on the record that you don't know when you actually placed the check into your account.

CC: Correct.

SR: This is the information that I have. It's, it's stated on these documents so.

CC: Okay. I may be referring to that time frame and did you ask SR: to co-sign the South Pasadena Association check number 4173 in the amount of \$1,000? CC: I did. And when did that conversation occur and what did you say to him at the time about the \$1,000 payment? CC: Again, I don't know specifically when it was made out. I do recall tellin' him this was earmarked for a charity that we had discussed prior and it was the, the full amount was \$3,500 that the lady wanted. SR: Okay, and what's the name of the lady? CC: SR: And. CC: Okay, and go ahead. SR: And who is She's just a resident. I don't know if she even lives in the city anymore. It's been a while since I talked to her. She used to be a resident and we had a relationship with her, the POA did, because we had forwarded her a substantial amount of money. She had a sick child and medical costs were killin' 'em and the POA decided to kind of adopt this family and help 'em out. And did you have any other outside relationship with , other than the, the business relationship that you've described through the police association? CC: Strictly professional POA president to resident. , you, what specifically did you tell him SR: And at the time you spoke to about the \$1,000? You were starting to explain that so. CC: Yeah. SR: Why don't you continue. Originally she wanted \$3,500 for a background check in order to adopt a child, I think from Russia, I'm not sure where. I said okay, you know what? Let me see what I can do. We'll try to, try to help you out. Went back, talked to to get the account book, see how much money we had. Talked to asked him what he thought and then

we came up with saying, okay, we can afford \$1,000. We can't come up with the 35 so that's when we decided to help her out with \$1,000 towards the adoption of the child.

SR: When did first contact you with respect to this particular donation, understanding that she, you donated in the past.

CC: Right.

SR: But with respect to this particular donation sometime in 2011, do you recall when she first contacted you?

CC: Judging from the check where it says posted 11-29, obviously it was sometime before then. I don't remember the exact date.

SR: And at the time that she contacted you requested 3,500 and what did you, how did you respond to that?

CC: Well, at first she didn't tell me what the amount was. She just said, hey, we, we're trying adopt this child through this agency but they require a background check. It costs, I don't think she even told me an amount, and she asked if we would be willin' to help.

SR: Did she contact you by e-mail or by phone?

CC: We had several conversations, some were by phone. I believe one was in person and we did have a couple of e-mail communications. I don't remember how many, how long or any circumstances.

SR: And what did you tell initially with respect to her request for a donation again from the South Pasadena Police Association in 2011?

CC: I don't remember, yeah.

SR: Did you tell that the association would consider her donation, do you recall?

CC: I'm, I don't remember specifically but I musta told her some effect that we were gonna help her out. I don't remember exactly what was said though.

SR: And why was check number 4173 written to yourself, Craig Cooper, in the amount of \$1,000 instead of directly to the Angels Haven 501(c) or to her family?

CC: She was on a timeline so she needed to get this done pretty quickly and then I contacted the charity directly and I spoke to somebody on the phone and I asked what type of payment methods they requested and they said that the quickest way is through

credit card or ATM card. There was I believe a way to mail a check but that was very long and she was kind of on a timeline so I said, okay, no problem. So what I was going to do or what I did is I deposited the check in my account and was going to use my credit card/debit card to pay the funds online with their online payment service.

SR: Who did you contact from Angels Haven charity?

CC: I, I don't remember the name. I talked, it was a female. I talked to somebody in their donation department. I don't remember who.

SR: And when did that conversation occur?

CC: Sometime before this check, I don't know.

SR: And you indicated that you were told by the female employee at Angels Haven that the quickest way to make the donation was by credit card?

CC: That's correct.

SR: And what specifically did that person tell you about using a credit card and the quickest manner to proceed?

CC: I don't remember. I remember the content but not specifics.

SR: And did that employee also state that a check could be sent directly to Angels Haven, the charity, from the POA?

CC: I believe so, yeah.

SR: And what was the urgency at the time with respect to moving forward as far as making the donation to Angels Haven?

CC: had a child that she was specifically targeting for adoption and there was a time limit. She said that, you know, there's a limited time in order for this child's availability. I don't know what the reason was. I mean we can sit here and assume all day but she, she already had a child in mind and she wanted to expedite the process in order to get the child in her custody.

SR: So at the time that you contacted the Angels Haven 501(c).

CC: Yeah.

SR: You believe it was before this check was actually written to yourself, correct?

CC: It may have, I don't know. It might, it might have been a little after, I don't know.

SR: But it.

CC: But very close to it being cut either way, yes.

SR: 'Cause at the point in time that you had the conversation with Angels Haven 501(c), is that the reason that you, this check was written to you rather than directly to the charity itself?

CC: That makes the most sense but I just don't remember what I thought at that time. That makes sense and that's probably how it went. I just don't recall and I, I don't remember how it came about.

SR: When you had the conversation with the employee from Angels Haven 501(c).

CC: Yeah.

SR: Did that precipitate you writing a check to yourself for \$1,000 with the memo on the check for reimbursement to the Angels Haven 501(c)? I'm just trying to.

CC: Yeah, I, I see what you're trying to do and I, I wish I could answer directly and that's probably what I did 'cause it makes the most sense. I just don't remember the timeline.

SR: I mean what other reason would there have been for you to write a check to yourself when it was for reimbursement for the Angels Haven 501(c) if you hadn't spoken to somebody.

CC: That makes per, that makes perfect sense so that's probably what happened. I just don't remember.

SR: Okay.

CC: I don't remember if the chicken came first or the egg came first. I can't remember in what, but that, that makes the most sense to me. It's probably what happened. I don't remember though.

SR: And when you had the conversation with the person from Angels Haven 501(c) and they told you that the quickest way was for a credit card donation to be made.

CC: Yeah.

SR: Did you at that time provide your credit card number to make, your personal credit card number to make the donation?

CC: No, because as I was talkin' to her, I found out that if I was gonna give \$1,000, I can't earmark it specifically for They said in order to earmark money, I

approved for was a thousand so that's what we have to work with and at that time, it was decided that, okay, let's, let's regroup and let's see if we can find other avenues to come up with the 35 which ultimately did not happen.

SR: Were you ever sent any documents from Angels Haven 501(c) in the way of an invoice or anything else?

CC: No.

SR: You don't have any recollection of Angels Haven 501 sending you an invoice to a Yahoo account?

CC: I don't remember. I mean I would say an invoice after payment like a receipt?

SR: No, an invoice for \$1,000.

EG: Like a request for payment invoice?

SR: Yeah.

CC: Okay. I don't remember, I don't remember receiving it.

SR: And when did those conversations take place with Angels Haven 501(c) to, if you could, we have the Christmas party.

CC: Right.

SR: On or about December 15th, 2011. We have what I believe the posting of the check that was written for \$1,000 occurred on November 29th, 2011 so with respect to those two dates, when do you believe that you had that conversation with Angels Haven?

CC: I don't remember.

SR: And you don't remember the name of the female that you talked to, correct?

CC: No.

SR: Was that matter ever, with respect to the \$1,000 payment, ever vetted out between yourself and Angels Haven 501(c)?

CC: No, we couldn't provide the 35 so we, we didn't have any more communication with them.

SR: So after, was that the only conversation that you had with Angels Haven 501(c), just the one?

CC:	On the phone?
SR:	Yes.
CC:	Yeah.
SR:	Did you have any in-person contacts with them?
CC:	No.
	And at the point in time that you had the conversation with Angels Haven 501(c), mind the \$1,000 was not going to be donated based on what you've already sed, that it was gonna go into a general account and it could not be earmarked of for correct?
CC:	Well, not exactly.
SR:	Okay.
our res like, ol	The \$3,500 that we discussed, that I discussed with I said listen, I said we come up with 2500 so we can still potentially do this for you but we need to pool ources and see if we can come up with the whole amount so at that point, I was key, we're still gonna have this \$1,000 carmarked for this charity but we need to up with more money so we can ensure that the 35 goes to you.
SR:	So it was still, the \$1,000 was still on the table between yourself and correct?
CC:	That's correct.
SR: betwee	Okay, and when did the \$1,000, for a lack of better words, come off the table on yourself and ?
CC:	I remember I had handle a text for me to her and I don't, I, I don't ber.
SR:	
CC:	Yeah.
SR:	Okay.
CC: can't r	You know what? Yeah, that's my memory, it was . I just, it's been so long I emember specifics.
SR:	So originally when you deposited the \$1,000 check into your personal account.

SR: You intended on using that money for a payment to the Angels Haven 501(c) for the correct?
CC: Correct, but when we couldn't raise the rest of the money, that's when I started to reconcile the books towards the end of the year, beginning of the new year and that's when we decided what to do as far as the actual money being in the account.
SR: And your decision not to provide them with your credit card when you had that con, that one conversation with Angels Haven was because there was no guarantee that the \$1,000.
CC: Was gonna go to
SR: Could be earmarked for the
CC: That's correct.
SR: And at the point in time that you talked to Angels Haven 501(c) and were told the \$1,000 could not be carmarked in that fashion to the check for \$1,000 to the association?
CC: Well, not yet because we were seeing if we could raise the rest of the money and still donate the money.
SR: And when you said that you were seeing how you could raise the rest of the money, what type of actions did you, were you involved with trying to raise the additional \$2,500?
CC: I actually didn't get involved in any. I, I talked to about, with a couple of people amongst the department POA and just, it kinda fell to the wayside.
SR: Did anyone else from the POA work towards raising the other \$2,500?
CC: No, I don't believe so.
SR: At what point in time did you contact and tell her that the, let me as you this. Was there ever a donation made to either Angels Haven or the with respect to the request that they made in 2011?
CC: No.
SR: At what point, did you ever contact and advise her that you would not, you or the association were unable to meet her request?

CC: Yeah.

CC: I don't remember if it was me or and I discussed it 'cause I remember having a few conversations with her but I don't remember exactly who's the one that said, hey, listen, this is not gonna happen.		
SR: And was there a reason that the association did not wanna move forward with at least a \$1,000 donation to ?		
CC: The purpose of the \$1,000 initially was to help out this particular family that had come to us for help which we had kind of adopted over the years. So there was no interest in, in just putting it in the general fund of an adoption agency if it wasn't going out to help the person that was asking for the help.		
SR: Have you made prior, has the association made prior donations to the, the		
CC: Yeah.		
SR: And were those checks written directly to		
CC: Those were, yeah.		
SR: Okay, what was different about this case, why the \$1,000 check could not have been written directly to instead of to you and going through this other process that you described?		
CC: That was at her request. She said that this is the adoption agency she was dealing with and that she said that she wanted it to go to this charity on her behalf for the adoption, for the background.		
SR: Did you ever discuss with your conversation with Angels Haven where they told you that the credit card payment would be used in a general fund and then an alternative would be just to mail her a check on behalf of the association so that then she could use it to reimburse the charity?		
CC: We talked about the 35 and, and using the credit card but I don't remember specifics.		
SR: What I'm trying to understand is.		
CC: Yeah.		
SR: First why the check wasn't written directly to Angels Haven or to the instead of to you and then going through this process or after you spoke to Angels Haven and they told you of the, the problems, why the check wasn't, it was not returned or the association wasn't reimbursed and then payment made in a different manner as it has been in the past.		

There was a time lapse because we were seeing if she could raise the rest of the money and then if this was cashed on the 29th, we had a lotta money coming in and out for the Christmas party so we were still hoping that we were gonna be able to give her the \$1,000 but it just never happened. And with respect to the, the hope that the association could give her \$1,000, who did you have those conversations with? CC: Can you clarify the question. SR: Yeah, you talked about the association having a desire to reimburse for this donation. After you placed this check into your account, who did you have those conversations with? CC: Well, we weren't reimbursing for anything. This, this \$1,000 was for the background to get her. SR: It was a donation, I'm sorry. CC: Yeah. I don't mean reimbursement. SR: CC: Okay. SR: It was a donation. CC: Right, and. SR: So who did you discuss this donation with after you placed the money in your account? I believe I talked to about it, I think it was just me and that I talked about it with. I said listen, she wants 35. I said I talked to , we don't have that kinda money available. I said all we can give her is the thousand. We're gonna give her some time to see if she can raise the rest of the money. If she can, then we'll do the \$3,500. Was the fact that you as the president was considering donating \$3,500 to the ever discussed at any formal association meeting? I never really brought up the, I didn't know how much they required until I actually got them on the phone. asked us for help. I said yeah, we're gonna help you out. I don't remember an amount back then. I found, I remember finding out about the 3500 when I talked to the, the actual foundation. I said okay, well, that's fine. I'd

name and then they said, oh, you can't do

like to donate this \$1,000 in

that. The only way you can do that is if you earmark the full 35 for the background, then we can put it to a specific person. If you don't have that, then it goes into the general fund. SR: Did you have any discussions with the Angels Haven charity about simply mailing them a check on behalf of the South Pasadena Police Association that was earmarked for the CC: I don't remember. SR: And did you have any conversations at that time with directly about the, the problems that you had incurred and the fact that the association could simply send her a check for the \$1,000 and then she could deal with it like she had. CC: I, I, I ve had many conversations with I, I don't remember. SR: One moment. CC: Sure. Was, the \$1,000 that was originally earmarked for the Angels Haven 501(c) and SR: as stated on check number 4173 ultimately, those funds were they ultimately used to reimburse you for the Kimber firearm which was raffled off at the 2011 association Christmas party? Ultimately you could say yes but I mean there was money, I mean I, okay, I put, I put \$500 cash outta my account for the DJ, for example, so that money had to come back to me somehow and then there was other money goin' out, I mean all this was done on my ATM debit card and I was purchasing things for the Christmas party so like I said, when it came time to reconcile the books, I asked, I said listen, I still have this thing, the foundation, and I said I'll cut you a \$1,000 left over from the check from my personal account, that way we have tracking and I'm hearin' this from my treasurer, said no, don't worry about it, the books are straight. Okay, that's how it ended. SR: So you did offer to write a check to reimburse the association for the \$1,000, correct? Yes, when it was decided that we were not gonna help out couldn't come up with \$3,500. And then at that point in time, would the association then have had to write you a check for \$1,000 for the reimbursement for the firearm? CC: Absolutely, yeah.

SR:

Yes.

DW: In the past, the other instances you talked where you were reimbursed for, for expenses.

CC: Uh huh.

DW: Such as Baker to Vegas or the DJ.

CC: Yeah.

DW: Those were reimbursements for expenses that you had already incurred and had receipts for. Is that correct?

CC: Sometimes I would take a check in advance, sometimes I'd get reimbursed. It went back and forth.

DW: Okay.

CC: There was no set way, you know, we're a small association. We don't, we're not finite as far as our rules and regulations but at the end, everything was balanced and there always, all reconciliation was done.

DW: So reimbursement isn't always reimbursement. Sometimes it's payment in advance?

CC: It cold be payment in advance, correct.

DW: And I don't know if covered it or not, that check on there, the handwriting for the Craig Cooper and the reimbursement at the bottom.

CC: Yeah.

DW: Is that your printing?

CC: Yes, it is.

DW: Okay.

SR: And I'm gonna go back and just cover this. Why did the notation on the check indicate it was used as reimbursement for the Angels Haven 501(c) originally? If you would just summarize why the check was originally written in this format for Angels Haven 501(c).

CC: Because obviously, it was goin' to my name and I didn't want any problems coming up so I annotated on the check where it was earmarked for and that's why it was done that way, to make sure that if anybody had any questions, they would know where the money went.

SR: And as of today, there's been no \$1,000 donation made to the Angels Haven 501(c).

CC: That's correct. couldn't come up with the other 25 and there were, there were some, there was some pushback from other union members because we had given her a lotta money and there was a little bit of pushback from certain people, I don't, I don't remember who, but there was a little pushback 'cause we, I think we've given her in excess of \$10,000 over the years so I had a little bit of pushback from the guys when, and they didn't wanna see the \$1,000 just goin' in her pocket. They wanted to make sure it was goin' to the fund and that's why we didn't cut her the check directly.

SR: And who, you don't recall.

CC: No.

SR: Who you had those conversations with?

CC: I, I don't remember.

SR: Or.

CC: May, may have been, I, I, I don't remember.

SR: Do you recall when those conversations occurred?

CC: Around the same time.

SR: Which was.

CC: Some point between before the Christmas party and sometime during the, I don't know, it was at some point where we discussed, where we were discussing okay, what are we gonna do. Are we gonna give her the \$1,000 and let her worry about it, are we gonna donate it or what are we gonna do with the money and I don't remember the time frame.

SR: Prior to this particular check, when was the last time that you're aware of that the association made a donation to the Angels Haven 501(c) on behalf of the

CC: We haven't.

SR: Or to, or to the directly, I'm sorry.

CC: Oh, I.

SR: For, for that particular charity.

CC: I'm sorry.

SK:	? Do you recall?
CC:	On behalf of this charity?
SR:	Yes.
CC:	There wasn't one.
SR:	Okay.
CC:	This was it.
SR: associa	Okay, when was the last time that a donation was made to ation?
CC:	Years ago. I'm thinkin' five, six years ago.
SR: on 93.	Hang on just one minute. I'm gonna skip through some of these questions. I'm
DW:	Okay.
,CC: restroc	Hey, while you guys are catchin' up, can I take a quick break and use the om.
SR:	Of course, you can.
CC:	Yeah, that water just went right through me.
SR:	Absolutely. Let me, let me get the time here and.
MB:	It's 11:04.
SR: It's 11	11:04, we're going off the record momentarily. Okay, we're back on the record. :10 AM, same date. Sergeant Cooper, directing your attention to an e-mail from to Craig Cooper dated November 24 th , 2011 and it's titled, subject is Request. Do you recall receiving this particular e-mail from?
CC:	Yeah.
	And take a moment and look at the letter and if you could just summarize what intent of request was back on November 24 th , 2011 after you have a set to refresh your memory.
CC:	Oh, it was Russia. Okay.

SR: And with respect to that e-mail on page two of the document that you have, does it state quote, for now, we are hoping to raise \$2,500 for our home study fee which is being conducted by Angels Haven, a non-profit organization. Any donation can be made directly to Angels Haven and is tax deductible. Do you remember receiving that particular message from

CC: I do.

SR: And the \$2,500 is, deviates a little bit from, you thought it was \$3,500?

CC: I did, I did.

SR: Okay, could it have been \$2,500?

CC: It could have been. Given, given that this was written back in November of '11, almost two years ago, yeah, I thought it was, my recollection was not as fresh as I thought.

SR: I understand and it also indicates in this e-mail that it was for their home study fee and the donation could be made directly to them. Is that correct?

CC: That is correct.

SR: And then she also states that any donation could be made directly to Angels Haven and was tax deductible.

CC: Yes, it does say that.

SR: Okay, and when you called Angels Haven.

CC: Uh huh.

SR: They told you.

CC: Yeah.

SR: That a credit card donation could not be designated for a particular person, in this case correct?

CC: No, that's not correct.

SR: Okay, then.

CC: Okay, as you see here, they're trying to do a quick fundraiser. They're trying to raise funds quickly. The person I spoke to on the phone said the best way and the quickest way was the credit card use so then when we talked about it, and when she

described it to me, she said if you don't, now it's 2500, clarification from 35, if you don't earmark the full amount and it's saying home study, it was described to me as a background check on the family, okay, so they said if you come up with the 25, we could earmark that for a specific child for a specific family. They said if you make a partial donation, it goes into our general fund so that way, it would not be earmarked for That's how it was described to me. That's why I did not, you know, do the full payment or partial. If I, if I could done the, the partial payment in her name and it would been earmarked for her, it would been a go. The reason I did not do that and hesitated was because she said if you don't make the full contribution, then it goes into our general pool of funds.

DW: I have a quick question. Was that just applicable to credit card payments or did that apply to checks also?

CC: I think it applied to both, yeah. I don't remember specifically but I would, I don't see why it would be one for the other. The way it was described, the way the lady described it was if you make a full payment, we can earmark that for a specific child and family. If you make a partial payment, then it goes into our general fund. Why that's the case, I didn't ask. I just took the information and reported back to

DW: I was just wondering 'cause earlier if I remember correctly from the interview when you were talking about the credit card payment.

CC: Yeah.

DW: That was the most expeditious means but there was also an option to mail a check and you indicated it would take a very long time, although I note that Angels Haven is in California. Why did that conversation about even mailing it come up?

CC: It was a secondary, she offered it as a secondary option and I said, well, time is of the essence so we're gonna use a credit card and she said there would be a delay time if you did, in fact, use a check for their processing purposes.

DW: Did you ask her if it meant that a payment was by check, if it would change how the account was earmarked or the money was earmarked?

CC: No, the second I found out that they weren't able to put it directly to account, earmarked for her, that's when I pretty much ended the conversation. Like okay, let me get back with her and we'll discuss our options.

DW: I, I understand that.

CC: Yeah.

DW: I'm talking difference between credit card and check. You said credit card could not be earmarked to her. Did you inquire whether or not a check could be earmarked either?

CC: She said, she, she didn't delineate between checks or credit cards. She just said the donation, you know, this donation, she didn't make it specific like, oh, if you pay with credit card, we can earmark it. If you pay with check, she, that, that conversation didn't happen. She just was talking about the actual donation. She didn't delineate between check or credit card.

DW: Okay.

SR: And did you respond to on November 29th, 2011, again for the record, I have provided you with that e-mail and, and I'm referring to an e-mail from ccooper@.

CC: Oh, yeah.

SR: @ci.southpasadena.ca.us and it's dated November 29th, 2011 and it appears to be at 3:00 AM.

CC: Yes, well, I work graveyard so.

SR: Okay, so that would have been during a point in time that you were working, correct?

CC: That is correct.

SR: And that's a city e-mail address, correct?

CC: That is correct.

SR: And I'm just gonna, it's short, I'm gonna read it into the record. Your e-mail to states quote, I have brought this matter to the POA board members and we have unanimously voted to contribute to this worthy cause. I went onto the website you provided, www.angelshaven.org, however, I could not find the link to make a donation. Can you provide the information in order for us to provide funds. We were happy to read about how well Tyler is doing. Thank you, Craig Cooper, SPPOA, unquote. And is that a, a message that you sent from your city e-mail address to on November 29th, 2011?

CC: Yes, it is.

SR: At the time you sent the e-mail message to had you, in fact, already brought the request to the association board

members and had it unanimously voted on and subsequently approved to contribute to the worthy cause?

CC: I don't remember specifically but judging from my e-mail, I'm gonna assume that's what happened. I, I don't specifically remember, I would have had to, yeah. I would have talked to, I would have talked to the board members and got their approval in a, in a unofficial capacity, like we wouldn't have had a board meeting and had a vote. Difficult to get everyone together on different shifts.

SR: Which board members did you talk to as stated in your e-mail regarding making a donation to the cause and again, you stated you, again you had a unanimous vote.

CC: Yeah.

SR: On the matter so which, specifically which board members did you talk to about making this donation on behalf of the association to the

CC: I specifically remember talking to because it was just so convenient and I don't know if we had a fifth at this time. It might have been but I don't remember and I don't remember talking to

SR:

CC: , yeah.

SR: Or , I believe.

CC: Yeah, I don't remember if she, if she was on the board at the time, I don't remember talkin' to her but I don't know if she was actually on the board during that time 'cause we did have a vacancy for a short while.

SR: So as you sit here today, you don't have a specific recollection of who you actually talked to regarding receiving approval from the board, correct?

CC: Correct. Like I said, it's almost two years ago.

SR: And based on your c-mail, did believe that you were going to make a donation on their behalf to Angels Haven after you sent her the e-mail on November 29th, 2011?

CC: Absolutely, yeah.

SR: And November 29th, 2011 appears from the documentation that I have to be the same day that you posted the check into your account.

CC: Okay.

SR:	Personal account, correct?
EG:	Well, that's when.
SR:	You don't know when. It's just.
CC:	Yeah, that's when it shows posted so I don't know what correlation or what time was in between the two.
SR: 501(c)	And there's never been a donation made to with respect to that period of time by the association or yourself, correct?
CC:	That is correct.
SR: used to	And did you later inform that the association funds could not be support their cause?
CC:	It was, it was either myself or
SR: Decem	And why did the association or first of all, who made the decision not to donate to in this particular instance as it relates to the time frame of November, ber, 2011?
	There was probably a discussion between and I. I don't remember the cs but a decision was ultimately made not to. I don't remember the circumstances
SR: membe	And, and that's why I'm asking because if you had conversations with other boarders where it was approved prior.
CC:	Yeah.
SR: not to	What, what changed that would have caused the association to make a decision move forward?
not gor she's n	The money. We originally agreed on a thousand and all of a sudden, the issue up, I thought it was 35, it's 25, and we were only gonna give the \$1,000 and were not give any more and then there was discussion like, you know, how do we know not gonna just spend the money. We want it to into the charity. There was multiple sions with multiple people but I just, I can't remember specifics.
SR:	And you don't remember who, other than right?
-	I know I talked to I know I talked to I'm, I'm very open with my n my shift. I may have talked to the guys on my shift. I just, I don't remember cally though.

SR: And you only had the one conversation with Angels Haven, correct?

CC: That's correct. The one telephone conversation.

SR: Correct.

CC: Okay.

SR: Well, were there any other conversations, other than a telephone conversation?

CC: You said there was an e-mail or something that I may have, you brought up an e-mail that I received.

SR: An invoice?

CC: Okay, an invoice.

SR: Yes, sorry. This would be a good time to address that. I was gonna talk about it in a moment here but we received a copy of a invoice and it's from Angels Haven Outreach and it's dated December the 13th of 2011, due date December 13th, 2011. Some of it's been redacted. It indicates for December 13th, 2011 home study. Thank you for the donation to, and the information is redacted. It's for \$1,000 and it says to bill to

Is that your personal e-mail address?

CC: That is my personal e-mail, yeah.

SR: And there, there is a copy of the invoice. Did you ever receive that invoice from Angels Haven?

CC: I don't remember. It's, I mean it's to my e-mail so obviously at some point I'm assuming I did. I don't even, I don't remember, I don't remember.

SR: And it appears from this invoice as of December 13th of 2011, Angels Haven was still inquiring about the \$1,000 donation.

CC: Yeah, well, the discussion that I had with the lady on the phone which I'm assuming that's who sent that form, I had not completely said, hey, listen, we're not gonna donate to you anymore. I told her, I said I need some time to talk to and figure out exactly what we're gonna do to make sure we have all the appropriate funds or come up with another game plan but I told her that I could not do the full amount.

DW: Does this date on here, December 13th, 2011, does that help you out at all with when you had the conversation with Angels Haven?

CC: Obviously it was before that date but I don't know. I can't remember the exact date.

DW: Do you know when it was in relation to writing the check to yourself for that \$1,000?

CC: I don't remember.

DW: Was it after or before?

CC: God, it's two years ago. I don't remember. I'm sorry.

DW: And on this invoice, you've looked at it.

CC: Yeah.

DW: And you said you don't recall receiving a copy. Is that correct?

CC: I, I don' recall.

DW: Now I realize that there's some redacted portions here, probably for privacy, were you dealing with Angels Haven Outreach for any other reason other than the during that time?

CC: No.

DW: Did you have a chance to look on this?

CC: Yeah.

DW: Do you see anywhere on that where it says that the money would have to go to the general membership if it was donated?

CC: That is not indicated on here, no.

DW: Okay.

SR: That's what you were told verbally by the person over the phone, correct?

CC: That is correct.

SR: And that seems to be part of the reason why there were complications with respect to making the payment, correct? There were complications after you were told by Angels Haven over the phone that if you used your credit card, it could not be directly earmarked to and it would go into the general fund.

CC: You're, you're centering around the use of the credit card. No, I don't remember that being said or being talked about. All I know is that when they were talking about the

donation, the donation could not be earmarked for a specific person, whether it be check or, or credit card, and it had to be the full amount if it was going to a sole person.

SR: Okay.

CC: Otherwise, it would go to the general fund.

SR: I'm sorry, I thought at the beginning of the interview when we were talking about the credit card, you indicated that if you used a credit card, that it couldn't be earmarked in that form for a particular person so I stand to be corrected. And I'm just gonna ask a couple of follow-up questions with respect to the firearm and then I'll, Doug's got I believe just a couple of, of questions and then we'll be done for the day.

CC: Yes, sir.

SR: You indicated earlier in the interview that you were familiar with the regulations regarding gun sales, correct?

CC: Correct.

SR: And what are those regulations?

CC: Under the DROS thing, you have to take it to a fire, a firearms licensing facility, the firearm is held and the DROS paperwork is completed by the purchaser and the seller.

SR: And did you do that in this particular instance with respect to the Kimber firearm?

CC: No, the gun.

SR: Why?

CC: The gun was not in my name. I was not the legal owner. I told that the gun was my ex-wife's gun and that he needed to contact me and let me know, hey, let me figure out a mutual place for you guys to meet and you guys can meet and do the paperwork and I also made two phone calls, left voice message, voice mail messages for my ex identifying him as the purchaser and his phone number and apparently obviously that never got completed.

SR: Well, who's responsibility would that be to make sure that the Kimber firearm was properly transferred per the California Penal Code?

CC: I don't know specifically but I would assume it's the person, it's either the person that the, the title, the paperwork is on, in other words, the legal owner I guess you could say.

SR: Well, did you have any responsibility since you were the one that sold the, the gun to the association, to make sure that it was properly transferred?

CC: We're dealin' with grown-up people. We're dealin' with adults. I told him he had to contact me so I could set up a mutual place for him to drop it off. He's in possession of the gun. I left two voice mail messages for my ex-wife and said, hey, listen, you gotta call this guy. He's got the weapon. You guys need to take care of the paperwork.

SR: Did you ensure that that occurred?

CC: Did I ensure? No, it's not my responsibility to do that,

SR: You profited from the sale of the firearm. You directly profited from it, correct?

CC: I did, yeah.

SR: So as you sit here today, do you believe you had any responsibility for making sure that the firearm was properly transferred?

CC: I, I gave the information to two adults that needed to get the paperwork done and they failed to do that.

SR: So you don't believe you had any responsibility.

CC: I have, I, I, I have no responsibility to do that.

SR: Even though you were the one that was paid for the firearm and you were the one that gave the firearm to the association.

CC: That's correct. I handled the physical portion but I didn't handle any paperwork and that was up to the two people that were involved.

SR: What specifically did you say to about properly transferring the, or documenting the sale of a firearm through a licensed dealer?

CC: Specifically, I don't remember specifics. Again, this was two years ago. I told him, I said listen, this gun is in my ex-wife's name. I said let me know when you're ready to transfer ownership and then we'll meet at a gun, a gun shop that, she lives in Riverside County and he lives in LA County. I said we'll meet, we'll get a mutual place for you guys to set up. You can go drop off the gun, do your portion of the paperwork, then I'll contact her and have her come and do the second, her portion as the seller. That way, the gun is entrusted to a licensed dealer.

SR: And did you give your ex-wife's phone number or address?

CC: I didn't give him her information. I didn't feel comfortable doin' that. I gave it to her, I gave his information to her.

SR: Okay, and when, with respect to, to the Christmas party on December 15th, 2011, when did you have that conversation with

CC: That night.

SR: Any other follow-up conversations with him after December 15th, 2011 about the appropriate or proper transfer or sale of the firearm.

CC: I don't recall.

SR: And when did you have those conversations with your ex-wife?

CC: Soon after the party. I made two phone calls. It was not a conversation.

SR: Okay.

CC: I left two voice mail messages for her on her cell phone voice mail.

SR: And what were the messages that you left and what was her name again, I'm sorry.

CC:

SR: Okay, and.

CC: I told.

SR: Go ahead.

CC: I told her, I said listen. At the raffle, at a raffle for the POA, I raffled off the gun. is now in possession of that gun. Here's his phone number. You need to call him so you guys can meet and do the paperwork on this gun.

SR: And did ever contact

CC: To my knowledge obviously because I'm sitting here, no. It was, it was a bad breakup. We haven't, we haven't talked since we split.

SR: So you do understand that there is a process that's laid out in the California Penal Code regarding the, the sale and transfer of a firearm and it has to be done through a licensed dealer, correct?

CC: That's correct.

SR: Okay. Doug.

DW: I just have a couple on the gun real quick. I understand your ex-wife is the registered owner of it. Who, who actually owned the weapon? Who did it belong to?

CC: Well, legally belonged to her. We, we were married at the time and I was in possession of it so I don't know exactly what you're asking as far as who.

DW: It was legally registered to her.

CC: Yeah.

DW: How did you receive it?

CC: She gave it to me as a gift.

DW: So it was your weapon.

CC: For all intents and purposes, yes, but it was licensed to her.

DW: I understand that.

CC: Okay.

DW: What I'm trying to establish is it wasn't her gun that you just happened to have. It was your weapon that was given to you as a gift.

CC: That's correct but we never DROS, I never took it from her name and put it in my name.

DW: I understand that. How many years did you have that weapon?

CC: Oh, not long. I think it was less than a year.

DW: And did you have physical possession of it the whole time?

CC: From the time she gave it to me, yes. I don't know how long before that she had it.

DW: And did you physically hand the weapon to did somebody else do that?

CC: I don't remember. and I were handing out the gifts. I don't remember.

DW: So you either turned it over to or of the two?

We had it displayed on a display table with all of the other giveaways so I don't know if we actually presented it to him or just said, hey, here's your, I, I don't remember. Are you the one that brought it to the Christmas party? CC: Yeah. DW: Thank you and I think Steve covered this but you received the money for it, correct? CC: I did. DW: And then I have a couple of quick questions. You indicated that you weren't certain who actually contacted and let her know that this contribution wasn't going to be going through. Yeah, I think, see, I hate, I understand the game and this is two years ago. I think it was me but it coulda been either me or I don't recall specifically who told her that we were not going to do the donation. DW: Did, to your knowledge, had been having any communication with her during this time? Not to my knowledge, no. CC: DW: My question is, then why would you believe called her and told her that you wouldn't be moving forward with the donation? Other than that specific conversation, there's no reason that he would have any contact. It was one of those things where I've got a thousand things on my desk and I'm like, hey, listen. We need to handle this and I might have farmed it off to him. That was one of those things. DW: Okay, did you have any conversation or recall having any conversations, either by about the police officers association taxable status telephone or e-mail, with changing? I don't remember. CC: DW: Do you recall having any conversation with about not being able to move forward with the donation because the association had spent its funds for a police officer who had been killed in the line of duty? That sounds familiar. It sounds like somethin' that I recall. We did expend a lotta CC:

money when Kevin passed away. I may have explained to her that's why the money wasn't available instead of just saying, hey, the guys don't trust you to have \$1,000

because we're afraid you're gonna put it in your own bank account 'cause that was brought up by a couple of the guys. Yeah, vaguely I do.

DW: Has the tax status of your association changed during the time period?

CC: I'm not in, on the board anymore but I do know that there was an issue with our exempt status. When I saw our last tax report, I got notification from our CPA that, in fact, our tax status was either lapsed, in jeopardy or had to be re-filed, something to that effect so, yes, it has changed. I just don't know what the current status is.

DW: Would that, if you know, would that change have had anything to do with how you disbursed funds?

CC: It may have. I don't know. It would have to have happened.

DW: And during the time period from when the check was written to you for the reimbursement for the Angels Haven up until the time.

CC: It wasn't a reimbursement. It was, it was an advance. I was gonna post the check and then pay the funds.

DW: I'm sorry, I was going, I was just reading off the check.

CC: Right, right, I understand.

DW: Did that money just sit in your account?

CC: It stayed dormant for I think about 40, 40 days, 45 days, somethin' like that.

DW: That's all I have.

SR: Yeah, with respect to Doug's last question.

CC: Yeah.

SR: You were the one that said reimbursement on the check. Is there a reason that you put reimbursement on there?

CC: Just standard practice. It's usually what I do. Even for Baker to Vegas when I, when I did my calculations, hey, how much the van's gonna cost, I put reimbursement on there. I suppose I could used advance. For tracking purposes, I think it's almost synonymous.

SR: I don't have anything else.

DW: I don't either.

SR: Do you have anything else that you'd like to close with today?

CC: Not, not too much but, no, I don't have anything.

SR: Okay, we're gonna go ahead and end the interview. The time is 11:35 AM. Going off the record.

To the best of my knowledge and ability, the above transcript is a true and accurate transcription of the recorded interview of Sergeant Craig Cooper by RCS Investigations and Consulting LLC, transcribed by Bunnie Haas for the South Pasadena Police Department.